

19 12.06.2025
rkd Ct.18

W.P.A. 10339 of 2025

Nurjahan Khatun

-vs-

The State of West Bengal & Ors.

Mr. Ekramul Bari,
Sk. Imtiaz Uddin

....for the petitioner.

Mr. Malay Singh,
Ms. Neelam Singh

....for the State.

Md. Sarwar Jahan,
Sk. Nayeemul Hoque

....for the DPSC, Murshidabad.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

In the writ petition petitioner has questioned
order dated 7th March, 2025 passed by the District
Inspector of Schools (SE), Murshidabad being
respondent no.4 whereby claim of the petitioner for
appointment on compassionate ground due to death of
her mother was spurned.

Mr. Bari, learned advocate representing the
petitioner has relied upon the order passed by a
coordinate Bench on a writ petition being WPA 22091
of 2023.

It submitted that respondent no.4 is required
to consider the claim of the petitioner for appointment
on compassionate ground in terms of the observations

made by the coordinate Bench in the order dated 14th June, 2024.

The learned advocates representing the State respondents and District Primary School Council, Murshidabad have opposed the prayer of the petitioner based on the order passed by the respondent no.4 which is under challenge in this writ petition.

It is submitted that in support of income of the husband of the petitioner income certificate issued by the Sabhapati Beldanga-I Panchayat Samity was filed before the respondent no.4 but in terms of memo dated 29th February, 2024 income certificate is required to be filed which is issued by a Gazetted Officer preferably BDO of the concerned area.

While considering the validity of the order dated 7th March, 2025 Mr. Bari, learned advocate representing the petitioner submits that leave may be granted to the petitioner to file appropriate income certificate in connection with income of the husband of the petitioner before the respondent no.4 for further consideration of the claim of the petitioner.

In view of such submission made on behalf of the petitioner writ petition stands disposed of granting leave to the petitioner to file appropriate income certificate in connection with income of the husband

of the petitioner by four weeks from date before the respondent no.4.

If such income certificate is filed by the petitioner before the respondent no.4 within the aforesaid time, the respondent no.4 shall take decision afresh in accordance with law within a period of eight weeks thereafter after granting opportunity of hearing to the petitioner or her representative.

While taking such decision the respondent no.4 shall also take into consideration the observations made by the coordinate Bench in the order dated 14th June, 2024.

The reasoned decision to be passed by the respondent no.4 shall be communicated to the petitioner by fortnight thereafter.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)