

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 14852 OF 2025

BIDISHA BHAKTA

VS.

THE STATE OF WEST BENGAL & OTHERS

Mr. D.N. Chatterjee, Adv.

Mr. R.K. Biswas, Adv.

Mr. S. Mondal, Adv.

...for the Petitioner

Mr. Bhaskar Prasad Vaisya, AGP

Mr. Nilay Baran Mondal, Adv.

...for the State

Mr. Timir Baran Saha, Adv

...for the Respondent No.6

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner questions memo dated 17th August, 2021 issued by the District Inspector of Schools (S.E.), Purba Bardhaman being respondent no.4 whereby prayer of the petitioner for appointment on compassionate ground was rejected.
3. Petitioner prays for issuance of mandamus thereby directing the concerned respondent authorities to appoint the petitioner under *died-in-harness* category by setting aside impugned memo dated 17th August, 2021.

4. On providing a chart in tabular form respondent no.4 has demonstrated by giving particulars of income that family income of the deceased teacher was not less than the initial gross salary of a Group – D employee on the date of death of the deceased. Therefore, on following the definition of ‘financial hardship’ as provided under Schedule V to the West Bengal School Service Commission (Selection of Persons for Appointment to the Post of Non-teaching Staff) Rules, 2009, inference had been drawn that the family of the deceased teacher was not suffering from ‘financial hardship’. The impugned memo dated 17th August, 2021 is not found to be erroneous.
5. Moreover, respondent no.4 by issuing memo dated 17th August, 2021 rejected claim of the petitioner for appointment on compassionate ground and present writ petition was instituted on 3rd July, 2025 nearly after four years which goes to show that the family of the deceased teacher was not in need of immediate financial assistance to tide over crisis due to untimely death of the bread-earner.
6. Hence, no relief can be granted to the petitioner.
7. Writ petition stands dismissed.
8. There shall be no order as to costs.

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

(Saugata Bhattacharyya, J.)