

16.09.2025
Court No. 18
Item No.15
(Suvendu)

WPA 18843 of 2025

Jamima Yasmin
-Versus-

State of West Bengal & Ors.

Mr. Shibaji Kumar Das
Mr. Dipendu Sarkar
Ms. Deblina De

.....for the petitioner

Mr. Suddhadeb Adak
Mr. Subhayu Das

.....for the State

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. In the writ petition memo dated 10th July, 2025 issued by the District Inspector of Schools (SE), Murshidabad being respondent no. 3 is questioned whereby prayer of the petitioner for appointment on compassionate ground was spurned.
3. Mother of the petitioner was an Assistant Teacher of a Government aided school who died-in-harness on 29th February, 2024 and an application was made for providing appointment on compassionate ground on 5th May, 2025. Respondent no. 3 while rejecting application of the petitioner seeking appointment on compassionate ground merely stated that income of family of deceased teacher was higher than gross salary of

a Group –D staff at the material point of time but no calculation is disclosed in order to demonstrate that what was gross salary of a Group –D staff of State Government and quantum of income of family of the deceased teacher. In absence of aforesaid particulars Court finds impugned memo dated 10th July, 2025 ought not to be retained on record. Hence, memo dated 10th July, 2025 stands set aside.

4. Respondent no. 3 is directed to revisit the issue and pass a reasoned order by ten weeks from date of communication of this order after giving opportunity of hearing to the petitioner or her representative. Respondent no. 3 shall also be at liberty to call for relevant documents from the school where mother of the petitioner was working as an Assistant Teacher. Decision to be taken by respondent no. 3 shall be communicated to the petitioner by ten days thereafter.

5. Writ petition stands disposed of.

6. There shall be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)