

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
(Appellate Side)

W.P.A. 19450 OF 2025

ANITENDU CHAKRABORTY
VS.
THE STATE OF WEST BENGAL & OTHERS

Ms. Payel Dalui, Adv.

...for the Petitioner

Mr. Joydip Banerjee, Adv.

Mr. Rajaram Banerjee, Adv.

...for the State

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Petitioner has come up with the present writ petition claiming compassionate appointment due to death of his father. Father was an Assistant Teacher, who *died-in-harness* on 31st May, 2001.
3. It is submitted by the learned advocate representing the petitioner that after death of father mother applied for compassionate appointment but she was not appointed on accepting her application. Subsequently, petitioner has made an application for appointment on compassionate ground which requires consideration.
4. State respondents are represented by learned advocates.
5. It is further submitted by the learned advocate representing the petitioner that petitioner's age was 15

years on the date of death of his father. Though mother of the petitioner applied for appointment on compassionate ground but she did not pursue her remedy.

6. Having considered the submissions made on behalf of the parties it appears that petitioner on the date of death of his father was below 18 years. Petitioner being minor on the date of death of his father has no right to pray for appointment on compassionate ground.
7. It is trite that in terms of the scheme relating to compassionate appointment if no provision is there by which right of a minor candidate is kept alive till said candidate attains majority for providing appointment on compassionate ground, said candidate is not entitled to be considered for appointment on compassionate ground. Moreover, father of the petitioner died on 31st May, 2001. Thereafter precisely 24 years have passed. Object of providing compassionate appointment is to tide over immediate financial crisis of the family of the deceased employee due to untimely death of the bread-earner. Due to efflux of time, issue relating to compassionate appointment of the petitioner at this stage is not required to be considered.
8. Hence, writ petition stands dismissed.

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

(Saugata Bhattacharyya, J.)