

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Present :- Hon'ble Justice Amrita Sinha

WPA 19718 of 2025

Sourav Saha
Vs.
The State of West Bengal & Ors.

For the writ petitioner	:-	Mr. Goutam Kumar Basak, Adv. Mr. Bipin Ghosh, Adv.
For the State	:-	Mr. Gourav Das, Adv. Mr. Santanu Chatterjee, Adv.
Heard on	:-	06.11.2025
Judgment on	:-	06.11.2025

Amrita Sinha, J.:-

1. The petitioner seeks compassionate appointment.
2. It appears that the father of the petitioner who was serving as an assistant teacher died-in-harness on 29th February, 2008. The widow of the deceased teacher is already receiving pension.
3. The son of the teacher was a minor when his father expired. After attaining majority, he filed an application seeking compassionate appointment which stood rejected by the District Inspector of Schools, Secondary Education, South 24 Parganas on 3rd April, 2014.

Challenging the same, the instant writ petition has been filed on 22nd August, 2025.

4. Learned advocate for the petitioner submits that the application of the petitioner was not considered in accordance with law. The Government Order which was relied upon for rejecting the case of the petitioner was not in existence at the time of death of the employee.
5. Prayer has been made to reconsider the prayer of the petitioner.
6. Learned advocate representing the respondents opposes the prayer of the petitioner.
7. It has been submitted that the writ petition has been filed more than ten years after the prayer of the petitioner seeking compassionate appointment stood rejected. No explanation has been put forth in the body of the writ petition justifying the delay for approaching the Court.
8. I have heard the submissions made on behalf of both the parties and perused the materials annexed to the writ petition.
9. Admittedly, it appears that the employee expired in February, 2008 and the petitioner was a minor at that point of time. There is hardly any provision in service jurisprudence which permits reservation of vacancies for being filled up when the heir of the deceased attains majority.
10. Here, the case of the son of the deceased employee stood rejected in the year 2014. The petitioner ought to have proceeded with the matter diligently to press his case. The petitioner waited for more than a decade

to approach the Court challenging the order of rejection. At such a belated point of time there is no scope to show any compassion to the heir of the deceased employee.

11. Compassionate appointment is meant to tide over the immediate financial crisis faced by the family on the death of the bread winner. After nearly seventeen years of death of the employee the prayer for consideration of compassionate appointment cannot be entertained.
12. The Court is not inclined to exercise jurisdiction in the matter. The claim of the petitioners appears to be hopelessly time barred.
13. In view of the above, no relief can be granted to be petitioner in the instant writ petition.
14. The writ petition fails and is hereby dismissed.
15. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)