

W.P.S.T. 189 of 2025

Md. Mukshedur
Vs.
The State of West Bengal & Ors.

Mr. Shah Jamal Hazra

...for the Petitioner

Mr. Amal Kr. Sen, Id. A.A.G.

...for the State

1. Heard the learned counsel for the writ petitioner as well as the learned A.A.G.
2. The writ petitioner claims to be a grandson of a Government employee. According to his case, his grandfather was working as a Group 'D' employee posted at Ratua Primary Health Centre, Ratua, Malda under the Health Department, Government of West Bengal in the year 1966. The grandfather thereafter allegedly was forced to leave his service in the year 1968 due to some political disturbance in the area. The grandfather thereafter according to the applicant never went back to Government service. He died nearly 40 years thereafter on 24.01.2008. Twelve (12) years after the death of the grandfather, the applicant/writ petitioner has filed an application that he be considered for appointment on compassionate ground. There is no material-on-record to show how long the grandfather worked and whether he continued to be a Government servant after 1968.

3. We further find that there is long and inordinate delay in raising a claim for compassionate appointment by a grandson who at the time of demise of his grandfather was about six years old. There is no factual foundation for any legal heir of the deceased Government employee to claim a compassionate appointment. That apart having regard to the long and inordinate delay taken note of above, no case is made out for grant of compassionate appointment. The law in this regard is well settled that having regard to the nature of the benefit is intended to provide immediate succour to the family of a deceased Government employee due to sudden loss of the bread winner. The petitioner cannot claim the benefit after so many decades. It is trite that compassionate appointment is not another mode of appointment.
4. We find no infirmity in the order of the West Bengal Administrative Tribunal passed in O.A. No. 354 of 2025 dismissing the same by an order dated 07.08.2025.
5. The Writ Petition being **W.P.S.T. No. 189 of 2025** is dismissed.
6. There will be no order as to costs.

7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)