

09-12-2025
Item No.7
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.21411 of 2023

Kakali Murmu

-vs-

The State of West Bengal & Ors.

Ms. Rinku Sen
Mr. Sagnik Bhattacharya
Ms. Suksar Parveen ...for the petitioner

Ms. Tapati Samanta ...for the State

1. The petitioner seeks appointment on compassionate grounds. Her father being an employee of a secondary school died-in-harness on November 28, 2014. Application for providing compassionate appointment was filed in January 2015 which stood rejected in September 2019 by the District Inspector of Schools (SE), Paschim Bardhaman with the observation that “the income of the family is greater than the initial gross salary of Gr-‘D’ staff at the initial stage at the material point of time”.
2. According to the petitioner, apart from the family pension, there is no other source of income.
3. On a query from the Court as to why the petitioner approached this Court after more than four years of order of rejection, there is no explanation to the same.
4. The writ petition is also bereft of any explanation regarding delay in approaching this Court after more than four years of order of rejection of the

prayer for compassionate appointment.

5. According to the service jurisprudence, compassionate appointment is not a regular mode of appointment. It is provided only on urgent basis to tide over the immediate financial crisis faced by the family on the death of the breadwinner and is an exception to the regular mode of appointment.
6. In the instant case, it appears that the teacher expired in November 2014 and the writ petition has been filed in August 2023 seeking setting aside of the order of rejection passed by the DI of Schools in September 2019. In the absence of proper averments explaining the delay, the Court is not inclined to accept the prayer of the petitioner directing reconsideration of her prayer for compassionate appointment. The delay in filing the instant writ petition is a fatal one.
7. The writ petition fails and is hereby dismissed.
8. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
9. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

