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18.11.2025
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 25694 of 2025

**Sayed Shahinoor Zaman
-versus
The State of West Bengal & Ors.**

**Mr. Shibaji Kumar Das,
Mr. Dipendu Sarkar,
Ms. Parbati Mondal.
...For the Petitioner.**

**Mr. Rajarshi Basu,
Mr. K.M. Hossain.
...For the State.**

1. Affidavit of service filed in Court today is taken on record.

2. The petitioner's father was serving as an Assistant Teacher of the school. He died-in-harness on 7th September, 2010. The petitioner was a minor when his father expired. The wife of the deceased teacher claims to have applied for compassionate appointment. There is, however, no document in support of the submission that the widow applied for compassionate appointment.

3. After attaining majority the petitioner applied for compassionate appointment on 10th June, 2025.

4. Prayer has been made to direct the District Inspector of Schools (S.E.), Murshidabad to consider his application seeking compassionate appointment.

5. On appreciation of facts as mentioned hereinabove, it appears that the teacher expired in the year 2010 when the petitioner was a minor. After

attaining majority he applied for compassionate appointment on 10th June, 2025.

6. The law relating to compassionate appointment is well settled. An heir being a minor does not have any right to make application seeking compassionate appointment on the date of death of the employee. If the minor attains majority within the prescribed time limit for making application then only can such application be made. There is no scope for reservation of vacancy to be filled up by an heir of a deceased upon attaining majority.

7. Compassionate appointment is not the regular mode of joining service and the same is provided to tide over the immediate financial crisis faced by the family on the death of the bread earner.

8. Here the employee died in 2010. An application for compassionate appointment made in the year 2025, that is fifteen years after the death of the employee, cannot be directed to be considered.

9. There is no scope to show compassion to the heir of a deceased at such a belated stage.

10. In view of the above, the writ petition fails and is hereby dismissed.

11. Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Amrita Sinha, J.)