

16.04.2025
Court No. 18
Item No.46
(Suvendu)

WPA 25489 of 2023

Sajina Khatun
-Versus-

The State of West Bengal & Ors.

Ms. Sampriti Saha
Ms. Swati Dey
Mr. R.A. Khan
.....for the petitioner

Mr. Prosenjit Mukherjee
Ms. Madhurima Sarkar
....for the WBMSC

Mr. Suman Dey
...for the State

Affidavit of service filed on behalf of the
petitioner is taken on record.

Petitioner has questioned the order of the
District Inspector of Schools (SE), South 24
Parganas whereby prayer of the petitioner to be
considered for compassionate appointment
under died-in-harness category was rejected.
The impugned order is at page 63 of the writ
petition.

On perusal of the impugned order, it
appears that concerned respondent authority
has rejected the prayer of the petitioner on
different grounds but while considering the right
of the petitioner to be considered for
appointment on compassionate ground this

Court finds that father of the petitioner died-in-harness on 22nd October, 2014 while working as Assistant Teacher in a Madrasah when petitioner was minor. It is trite law that right of a minor candidate for appointment on compassionate ground on the death of employee cannot be preserved till such candidate attains majority if there is no provision in the scheme of appointment on compassionate ground. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court reported in 2025 SCC OnLine SC 290 (Canara Bank Vs. Ajithkumar G.K.).

In view of law laid down by the Hon'ble Supreme Court, no relief can be granted to the petitioner.

Writ petition stands dismissed, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)