

17.12.2025
(D/L-06)
Ct. No.4
(B.K.N.)

W.P.S.T. 258 of 2025
Ankur Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Swapan Kumar Nandi,
Ms. Banani Bhattacharya
... for the Petitioner

Mr. Jahar Lal De, Ld. AGP,
Ms. Sukla Das Chandra
... for the State

1. Heard learned advocate for the writ petitioner and the learned State advocate.
2. The present writ petition arises out of order dated 19.06.2025 passed in O.A. 570 of 2024 filed by the writ petitioner. The West Bengal Administrative Tribunal (in short Tribunal) has rejected the petitioner's Original Application asserting the claim for compassionate appointment.
3. On account of demise of the petitioner's father in harness he applied for compassionate appointment. The same was rejected by the authorities on 30.07.2024. The ground for rejection was that the total monthly income of the family exceeds 90 per cent of the last gross monthly salary drawn by the deceased employee.
4. The learned advocate for the writ petitioner submits that the same is not sustainable since the calculation

cannot be relied upon. According to him the calculation was required to be done as per the Government order prior to 251-Emp which came into existence on 03.12.2013, after demise of his father.

5. We find no force in such submission. Prior to demise of the petitioner's father, 114-Emp dated 14.08.2008 had come into existence which had already raised the requirement of monthly income from 80 to 90 per cent for considering whether claimant for compassionate appointment can be beneficiary of such welfare measure. The parameter of 90 per cent, therefore, was in existence much prior to demise of the petitioner's father.
6. Another submission is that the calculation is baseless. We find no force in such submission. The petitioner's mother herself has given the monthly income details of the family income out of pension and other retiral benefits. Such fact is admitted by the petitioner in paragraph 6(m) of the Original Application. The petitioner, however, has withheld the communication by which he has asserted communication being made by his mother. A relevant and material fact was thus suppressed by the petitioner in the Original Application. The writ petition also suffers from such suppression of relevant and material fact. The averments, however, leave no room for doubt that the mother had communicated the income details based

on which the authorities have recorded a finding of the income being above 90 per cent.

7. We also find from report of the three men committee that wife of the deceased was a government employee. We, therefore, find no infirmity in the rejection of the petitioner's claim for compassionate appointment, by the authorities as also order of the Tribunal dated 19.06.2025 passed in O.A. 570 of 2024 rejecting the petitioner's Original Application.
8. The writ petition is dismissed.
9. Urgent Photostat Certified copy of this order, if applied for, be supplied to the parties upon compliance with all necessary formalities.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)