

**Calcutta High Court  
In the Circuit Bench at Jalpaiguri  
Appellate Jurisdiction**

**WPA 35 of 2025**

Uttama Sikdar @ Uttama Sikder  
Vs.  
The State of West Bengal & Ors.

Mr. Ujjal Ray.  
Ms. Monisikha Mondal.  
Mr. Bodhisatya Ghosh.  
... For the petitioner.

Mr. Subir Kumar Saha. Ld. A.G.P.  
Mr. Kumar Shantanu.  
... For the State.

1. The petitioner seeks compassionate appointment. She claims to be the dependent sister of the deceased employee, who died-in-harness on 23<sup>rd</sup> May, 2022.

2. Application was made by the petitioner on 9<sup>th</sup> August, 2023 but the same is yet to be considered and disposed of.

3. Learned advocate representing the State respondents submits that the sister of the deceased cannot be treated as a dependent family member of the employee.

4. Learned advocate for the petitioner refers to the judgment delivered by the Court in the matter of **Durga Das -vs- State of West Bengal & Ors.** reported in **AIR 2021 CAL 308** wherein under similar circumstances order was passed to treat the applicant as the dependent of the deceased employee.

5. As the matter is pending consideration before the respondent authority, accordingly, the instant writ

petition stands disposed of by directing the Chairman, West Bengal Central School Service Commission to consider the prayer of the petitioner for compassionate appointment in line with the ratio laid down by the Court in the matter of Durga Das (supra).

6. An opportunity of hearing shall be granted to the petitioner for production of all documents in support of her claim.

7. Learned advocate for the petitioner is directed to forward a copy of the application seeking appointment along with all supporting documents and the judgment passed in the matter of Durga Das (supra) to the aforesaid respondent at the time of communicating the order of the Court.

8. Steps shall be taken at the earliest but positively within a period of eight weeks from the date of communication of this order.

9. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

10. If the prayer of the petitioner is admitted, necessary consequential steps shall be taken immediately.

11. The writ petition stands disposed of.

12. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

**(Amrita Sinha, J.)**