

17.03.2026
Item No.13
PG/
Ct. No.1

WP.CT. 30 of 2026
Madhumita Santra
Versus
Union of India & ors.

Mr. S.P. Chatterjee
Ms. Madhumita Patra.....for the petitioner

Ms. Rama Chakraborty
Mr. Ajay Gaggarfor the respondent no. 1/
Union of India

DICTATED BY SUJOY PAUL, CJ.:

1. Parties are represented through their respective learned counsel.
2. Heard on admission.
3. This petitioner assails the order of tribunal dated 06.08.2025 passed in O.A. No. 350/01170/ 2023, whereby her application for compassionate appointment was set aside and tribunal declined to interfere in the speaking order dated 10.10.2022.
4. The relevant facts for adjudication of this matter was that the petitioner filed O.A. No. 350/00698/2022 before the tribunal, which was decided by order dated 06.09.2022 (Annexure- 'A8') by directing the respondents to decide the pending representation of petitioner

for grant of compassionate appointment in accordance with extant rules. In turn, the department by reasoned order dated 10.10.2022 (Annexure-‘A9’) rejected the representation of the petitioner by holding that the Circle Relaxation Committee has considered the case of eligible candidates and petitioner obtained 75 merit points, whereas last recommended candidate earned 77 merit points for the cadre in question.

5. Criticising this action, learned counsel for petitioner advanced singular contention. He placed reliance on recommendation for appointment list prepared by the department (page-96) and urged that such candidate in the said list is one Sri Santosh Yadav, who secured 68 merit points. Thus, a lesser meritorious candidate *qua* petitioner has been selected but tribunal failed to consider this point although this point was specifically raised in the supplementary affidavit before the tribunal.
6. No other point is pressed by learned counsel for the petitioner.

7. The said argument, on the first blush, appears to be attractive but lost its complete shine when documents are carefully perused.
8. The rejection order of petitioner clearly shows that her claim was considered as against earmarked vacancies for the year 2019 on 12.05.2022. Thus, her rejection order was in relation to the vacancy of 2019. A careful reading of the list in which name of Sri Santosh Yadav finds place shows that the date of Circle Relaxation Committee is 30.06.2023 for examining the vacancies for the year 2020. Thus, the petitioner is drawing parallel with a different select list for a different year. No parity can be drawn between the candidates of two different years and two different select lists.
9. The contention is misconceived and amounts to misleading as well. Sri Santosh Yadav was considered as against the vacancy of 2020, whereas the present petitioner was considered against the vacancy of 2019 in the meeting held on 12.05.2022. Thus, the singular point raised by petitioner drawing parallel with Sri Santosh

Yadav has no leg to stand and cannot be accepted.

10. Since no other point is pressed and singular point has no substance, the admission is declined.

11. Petition is **dismissed**.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)