

22 **17.03.**
2026
Ct. No. 24

Ab

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE.

WPA 5008 of 2026

Seuli Rani Adhikary Patra
Vs.
The State of West Bengal and others.

Mr. Siddhartha Sarkar,
Mr. Akash Ghosh,
Mr. Sourav Gupta.

... for the petitioner.

Mr. Binay Kumar Das,
Mr. Bhaskar Chakraborty.

... for the State.

Mr. Sunit Kumar Roy.

... for the SSC.

1. The affidavit of service filed today is kept on record.
2. The petitioner is aggrieved that in spite of being eligible, she was denied an appointment on compassionate ground upon the death of her husband, an Assistant Teacher at Kharagpur South Side High School (H.S.).
3. The petitioner's main thrust is that the District Inspector of Schools (SE), Paschim Medinipur, the respondent no. 7 herein, has passed the order without jurisdiction. In addition to this, the petitioner also submits that the order passed is cryptic and not in consonance with the guidelines stipulated in the explanation to Rule 1 of Schedule - V as contained in the notification issued by the Government of West Bengal bearing no. 697-

ES/S/IS-18 – 09th July, 2009.

4. Mr. Roy, learned Advocate appearing for the School Service Commission, has submitted that the District Inspector of Schools is well within his jurisdiction to assess the financial eligibility of an applicant and only then will forward the same to the Commission.
5. I have heard the learned Advocates appearing for the parties.
6. The order of the District Inspector of Schools dated November 21, 2025, other than being cryptic in nature lacks the essential foundation as stipulated in explanation to Rule 1 of Schedule – V of the afore-stated notification. The District Inspector of Schools ought to have followed the parameters set forth in the explanation with exact facts and figures and ascertain whether the petitioner falls within the mischief of Rule 1 or is exempted by the explanation afforded to such Rule. There is no such finding nor any application of mind has been done by the respondent no. 7 in the order of November 21, 2025.
7. In the circumstances afore-stated, I set aside the order passed by the respondent no. 7 on November 21, 2025.
8. The respondent no. 7 is directed to reconsider the application of the petitioner, strictly in line and in

consonance with the parameters set forth in the Schedule – V, particularly the explanation to Rule 1. This exercise will be completed by April 30, 2026 upon calling for the particulars of the petitioner and giving the petitioner a hearing. The resultant order will be communicated to the petitioner by May 10, 2026.

9. Thus, the writ petition is allowed with the afore-stated directions.
10. Since affidavits have not been called for, allegations contained in the petition are deemed to have been denied.
11. There shall, however, be no order as to costs.
12. Urgent Photostat certified copy of this order, if applied for, be given to the parties on priority basis.

(Reetobroto Kumar Mitra, J.)