

6th May, 2026
Item no.M/L 105
Court No. 18
Pradip, A.R.(Ct.)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

Case No. **WPA 6797 of 2026**

In the matter of:

Smt. Protima Mahapatra

.... Petitioner

VS.

The State of West Bengal & Ors.

....Respondents

For the Petitioner:

Mr. Upendra Roy

Mr. Kanchan Roy

....Advocates

1. The petitioner seeks compassionate appointment. She is a married daughter of an employee who was serving in the department of Fire and Emergency Services. Her father died-in-harness on 3rd March, 2003.
2. The petitioner submits that her brother, that is, the son of the deceased employee applied for compassionate appointment but as his application was not considered, the petitioner applied for compassionate appointment in November, 2022 followed up by representations in the year 2023.
3. The Additional Director General, West Bengal Fire and Emergency Services by communication dated 23rd June, 2023 forwarded the application of the petitioner dated 17th November, 2022 to the Divisional Fire Officer, South 24 Parganas Division for collection of necessary documents from the petitioner.
4. The Divisional Fire Officer by a communication dated 24th July, 2023 forwarded the status report of the petitioner's application to the Director General along with necessary documents.

5. Allegation of the petitioner is that since thereafter she has not been made aware of the fate of her application seeking compassionate appointment.
6. Prayer has been made to direct the authority to consider her application made for appointment on compassionate ground.
7. None represents the respondents.
8. Upon hearing the submissions made on behalf of the petitioner and on perusal of the documents placed before this Court, the Court is of the opinion that compassionate appointment cannot be claimed as a matter of right. The same is to be considered for tiding over the immediate financial crisis faced by the family on the death of the bread earner.
9. In the instant case, the employee expired in March, 2003. The petitioner applied for compassionate appointment in November, 2022. The authority failed to appreciate the urgency and the necessity for considering an application seeking compassionate appointment made after nineteen years of the death of the employee.
10. The prayer of the petitioner seeking a direction upon the authority to dispose of her application seeking appointment on compassionate ground cannot allowed at such a belated point of time. There is hardly any scope to show compassion to the heir of the deceased at this stage. The very object for providing appointment on compassionate ground gets frustrated if application made nearly nineteen years after the date of death of the employee is directed to be considered.
11. Had the petitioner been in financial crisis, then application for compassionate appointment ought to have been made immediately

after the death of the employee. Such belated claim seeking appointment on compassionate ground does not merit consideration.

12. In view of the above, no relief can be granted to the petitioner in the instant writ petition. The writ petition fails and is hereby dismissed.

13. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Amrita Sinha, J.)