

31.03.2026
Item No.5
Ct. No.14
ss

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

WPA 24407 of 2024

**Sanjay Kora & anr.
versus
The State of West Bengal & Ors.**

Mr. Prosenjit Mukherjee
Mr. Nirmalya Kumar Das
Mr. Raja Roy

... For the petitioners

Ms. Sumita Sen

... For the DPSC, Birbhum

Mr. Bhaskar Prasad Vaisya, Ld. AGP
Mr. Ranjan Saha

... For the State

1. Affidavit of service filed on behalf of the petitioners is taken on record.
2. On the prayer of learned advocate for the petitioners leave is granted to implead District Inspector of Schools (SE), Birbhum as added respondent no.7 in the cause-title of the writ petition.
3. By the present writ petition the petitioners seek direction upon the respondent authorities to consider the candidature of the petitioner no.1 for his appointment on compassionate ground.
4. Mr. Prosenjit Mukherjee, learned Advocate appearing on behalf of the petitioners informs that petitioner no.2, Nirmala Kora, widow of the deceased employee namely, late Champa Kara,

has expired on 19th January, 2026. As there are no other legal heirs of petitioner no.2 excepting petitioner no.1, who is already on record, there is no requirement of substitution and the name of petitioner no.2 may be expunged from the array of the petitioners. He files a copy of the death certificate of petitioner no.2, Nirmala Kora, which is taken on record.

5. In view of such submission, the name of the petitioner no.2, Nirmala Kora, stands expunged.
6. The petitioner contends that he is the son of the deceased employee, late Champa Kara, who was an Assistant Teacher of Rajgram Mahamaya High School (H.S.), under Murarai Circle in the District of Birbhum. The concerned employee died-in-harness on 12th February, 2020. Upon demise of the concerned employee, the petitioner, being the son, made an application for appointment on compassionate ground on 23rd September, 2021. However, such prayer has not been considered as yet. Hence this writ petition.
7. Mr. Mukherjee, learned Advocate appearing for the petitioner no.1 submits that proposal for appointment of the petitioner on compassionate ground has already been forwarded to the respondent no.3, the District Inspector of Schools (Primary Education), Birbhum by the Chairman, District Primary School Council, Birbhum,

respondent no.5. He files copy of the *proforma* as well as letter of proposal dated 18th September, 2024 which is taken on record. He seeks for appropriate order for consideration of the said proposal by the authority concerned.

8. Mr. Ranjan Saha, learned Advocate appearing on behalf of the State submits that since the petitioner no.1 has applied for Group 'D' category, the decision is to be taken by the District Inspector of Schools (SE), Birbhum.
9. Ms. Sumita Sen, learned Advocate appearing on behalf of the District Primary School Council, Birbhum leaves the matter to the discretion of this Court.
10. It is found from the letter of the Chairman, Birbhum District Primary School Council dated 18th September, 2024 that the proposal for appointment of petitioner no.1 on compassionate ground as Group 'D' in secondary school has already been forwarded to the District Inspector of Schools (PE), Birbhum for its onward transmission to the West Bengal School Service Commission through District Inspector of Schools (SE), Birbhum.
11. In view of the above, the added respondent no.7, District Inspector of Schools (SE), Birbhum is directed to take a decision with regard to proposal sent by the Chairman, District Primary School

Council, Birbhum dated 18th September, 2024 under Memo NO. BDPSC/MUR/1783/1(1)/24 within a period of twelve weeks from the date of communication of this order.

12. With the aforesaid observation, the writ petition being **WPA 24407 of 2024** stands disposed of.
13. Learned advocate for the petitioner is directed to communicate this order to added respondent no.7, District Inspector of Schools (SE), Birbhum for necessary compliance.
14. Since no affidavits have been called for, the allegation made in the writ petition is deemed to be not admitted.
15. Interim order, if any, stands vacated.
16. All connected applications, if any, stand disposed of.
17. There shall be no order as to costs.
18. All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.
19. Urgent Photostat certified copy of the order, if applied for, be given to the parties on compliance of all necessary legal formalities.

(Bivas Pattanayak, J.)