

24-02-2026
Item No.11
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.27046 of 2025

Debayan Choudhury

-vs-

The State of West Bengal & Ors.

Mr. Anjan Bhattacharya

Ms. Anita Shaw

Ms. Seema Thakur

...for the petitioner

Mr. Akash Dutta

...for the State

1. The petitioner is aggrieved by the order dated February 5, 2025 passed by the District Inspector of Schools (SE), Uttar Dinajpur rejecting the prayer of the petitioner seeking compassionate appointment.
2. The finding of the DI of Schools is that there appears no financial hardship in the family of two persons. The father of the petitioner was a teacher in a school who died-in-harness on April 17, 2022. The mother of the petitioner, also a teacher, was in service on the date of death of her husband.
3. The authority calculated the family income of the petitioner on the date of death of the employee and came to a considered opinion that there was no question of financial hardship in the family.
4. Learned counsel for the petitioner stresses on the fact that the family pension received by the widow ought not to be taken into consideration at the time of calculating the financial income of the family. The petitioner relies upon several precedents in support of the aforesaid submission.

5. Prayer has been made to set aside the impugned order of rejection and direct the authority to reconsider the prayer for compassionate appointment.
6. I have heard the submission made on behalf of the parties.
7. Even if the submission of the petitioner regarding deduction of pension for calculating the family income is taken to be correct, the petitioner cannot deny the salary received by his mother who was in Government service on the date of death of his father. The mother of the petitioner retired in 2024.
8. The authority rightly calculated the financial income of the family on the death of the employee taking into consideration the income of the mother of the petitioner.
9. In the instant case, on the date of death of the employee (father), another member of the family (mother) was in Government service.
10. A family of two members, where one enjoys Government service, cannot claim to be in financial hardship. The total family income of the two persons calculated by the authority was Rs.1,27,291/- at the material point of time. With such financial income, a family cannot allege to be in financial hardship, so much so, that the application for compassionate appointment is to be considered.
11. It is well settled that compassionate appointment cannot be claimed as a matter of right, and it is only considered for tiding over the immediate financial crisis faced by the breadwinner. Such factor missing in the present case, the Court is

not inclined to interfere with the impugned order.

12. The writ petition fails and is hereby dismissed.
13. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
14. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]