

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 28690 of 2025

**Swarnendu Bag
-versus-
The State of West Bengal & Ors.**

**Mr. Dibyendu Chatterjee,
Ms. Reshmi Ghosh,
Mr. Rahul Deb Goenka,
Ms. Parna Mukherjee,
Ms. Satabdi Das.
...For the Petitioner**

**Mr. Supriya Chattopadhyay, Id. A.G.P.,
Mr. Sankar Halder.
... For the State**

**Mr. Sunit Kumar Roy.
... for the SSC**

1. The petitioner seeks compassionate appointment.
His mother, who was a school teacher, died-in-harness on 29th November, 2017. The petitioner was a minor at that point of time.
2. The petitioner has averred in the writ petition that on the death of his mother, his father went to the office of the District Inspector of Schools to submit application for compassionate appointment under died-in-harness category in his favour, but the District Inspector of Schools refused to accept such application.

3. The father of the petitioner retired from service as Headmaster of a high school on 30th June, 2025 and he is getting his pension on regular basis. After retirement of his father, the petitioner applied for compassionate appointment on 14th November, 2025.
4. Prayer has been made to direct the respondent authority to consider such application.
5. The law regarding appointment on compassionate ground is quite well settled. Compassionate appointment cannot be claimed as a matter of right. The same is considered for tiding over the immediate financial crisis faced by the members of the family on the death of the bread earner.
6. In the instant case, both the parents of the petitioner were in Government service. One of his parents, that is, his mother died-in-harness on 29th November, 2017 when the petitioner was aged about eleven (11) years. As the father of the petitioner was in service, the petitioner did not face any financial crisis. The father of the petitioner retired on June, 2025 and thereafter, the petitioner applied in November, 2025 for getting appointment on compassionate ground.
7. Submission of the petitioner is such that as none in his family is in Government service, accordingly,

prayer of the petitioner for grant of compassionate appointment may be directed to be considered.

8. It is settled law that there is no scope for reservation of vacancy till a minor attains majority when appointment can be provided on compassionate ground. The very purpose for providing compassionate appointment is to save the family by providing immediate financial relief.
9. Facts of the case reveal that the family of the petitioner or the petitioner himself never suffered any financial crisis as the father of the petitioner was in Government service. His father attained his normal age of superannuation and retired from service. The same does not give an opening to the petitioner to revive his claim from compassionate appointment.
10. The writ petition fails and is hereby dismissed.
11. Urgent certified photostat copy of this order, if applied for, be given to the parties on compliance of requisite formalities.

(Amrita Sinha, J.)