

Court No.05 02.03.26
JPD
Item no. 05 BR

In The High Court At Calcutta
In the Circuit Bench at Jalpaiguri
Appellate Side

W.P.A. 281 of 2026
Shantanu Sarkar

-vs-

The State of West Bengal and Ors.

Mr. Rajyashree Ghosh
... for the petitioner

Mr. Subir Kumar Saha,
Mr. Pradip Sarkar
... for the State

1. Affidavit of service filed by the petitioner be kept with the record.
2. The writ application has been preferred praying for direction upon the respondent authorities concerned , to set aside, rescind, quash and/or cancel the impugned order dated 14.08.2025 passed by the District Inspector of Schools (PE), Jalpaiguri and to reconsider the prayer of the petitioner for appointment on compassionate ground and to act in accordance with law.
3. On hearing the learned counsel appearing for the parties and on perusal of the materials on record, this Court directs that the respondent no. 3 shall consider the case of the petitioner praying for compassionate appointment sympathetically, considering that though the time limit is two years for making such application, the petitioner at the relevant time being aged only 8 years, had no guardian to guide him.
4. It appears that the petitioner has made his prayer for compassionate appointment

immediately on becoming a major and as such it is in the interest of justice that the said prayer of the petitioner be considered sympathetically on condoning the delay in such a case, where the petitioner actually deserves compassion from the authorities.

5. The order dated 14.8.2025 is accordingly set aside and the respondent no. 3 and other respondent authorities shall consider the prayer for compassionate appointment made by the petitioner afresh, in accordance with law, without taking any decision as to the delay, at this stage and consider the prayer within 3 months from the date of this order, and in case all other criteria are met by the petitioner herein, the appointment be given at the earliest.
6. WPA 281 of 2026 stands disposed of.
7. Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)