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(DO)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA/14472/2026

NEELOTPAL BAURI
VS
THE STATE OF WEST BENGAL & ORS.

Mr. Biswarup Nandy, Advocate

.....for the Petitioner

Mr. Anish Kumar Mukherjee, Advocate

Ms. Sudipa Ghosh, Advocate

.....for the State

1. The petitioner is aggrieved that his application for compassionate appointment, made sometime in 2019, has been rejected by the authorities. This rejection was on the ground that the petitioner was still a minor and was not entitled to compassionate appointment.
2. However, as pointed out by the learned Advocate appearing for the authorities that a second application by the petitioner made sometime in 2024, upon attaining majority, has also been rejected on the ground that the petitioner was still a minor.
3. Clearly, there is an error on the part of the authorities in construing the petitioner to be a minor in 2024, when he had already attained majority. The authorities have not applied their mind and the rejection has to fail.
4. In view of the afore-stated, the petitioner is directed to make a fresh application seeking appointment on compassionate ground before the authorities by July 31, 2026.
5. The respondent no. 4 is directed to consider the application of the petitioner in accordance with the prevalent memos pertaining to compassionate appointment, especially Notification No. 26-Emp dated March 1, 2016.

6. The entire process shall be completed by August 31, 2026 and the resultant order be communicated to the petitioner immediately thereafter.
7. With the afore-stated directions, the writ-petition is **disposed of**. No order as to costs.
8. Urgent Photostat Certified Copy of this order, be given to the parties, if applied for upon compliance of necessary formalities.

(Reetobroto Kumar Mitra, J.)