

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das

Case No – OA 399 OF 2017

GOURI MRIDHA & ANR. Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>8</p> <hr/> <p>02.04.2018</p>	<p>For the Applicant : Mr. Apares Sinha Learned Advocate</p> <p>For the State Respondent: Mr. R. A. Chowdhury Learned Advocate</p> <p>The applicants have prayed for direction upon the respondents to give appointment to the applicant No. 2 on compassionate ground.</p> <p>The contention of the applicants is that one Arabinda Mridha died on July 9, 2001 while he was working as G.D.A. at Sandelerbil Block Primary Health Centre at Jogeshganj in the District of North 24-Parganas. Arabinda Mridha died leaving behind his wife, Gouri Mridha, son Animesh Mridha and daughter, Madhushree Mridha as legal heirs. The son of the deceased employee submitted application for compassionate appointment which was processed by the Department. During the pendency of the application for compassionate appointment submitted by the son of the deceased employee, the said son, Animesh Mridha approached the Tribunal by filing O.A. 3329 of 2007, which was disposed of on December 7, 2012. On December 7, 2012 this</p>	

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	<p>Tribunal gave direction to the respondents of the said original application to give appointment to Animesh Mridha on compassionate ground for Group 'D' post within a period of six months after completing all formalities. It appears from letter dated September 14, 2017 issued by the Director of Health Services, Government of West Bengal that the present applicant No. 1 and Animesh Mridha were requested to furnish information before Chief Medical Officer of Health, North 24-Parganas on July 1, 2015 for finalization of appointment of Animesh Mridha. Surprisingly, the mother and the sister of Animesh Mridha decided to give up the claim for compassionate appointment of Animesh Mridha on the ground that Animesh Mridha is living separately and he is not looking after the applicant No.1. The applicant No. 2 being the sister of Animesh Mridha submitted fresh application for compassionate appointment, when the application for compassionate appointment of Animesh Mridha is in the process of finalization. The manner of submission of the application initially by the son of the applicant No. 1 and thereafter, by the daughter of the applicant No. 1 for compassionate appointment, long after the death of the husband of the applicant No. 1, indicates that there was no need of immediate financial crisis in the family of the deceased employee. Had there been acute financial crisis in the family of the deceased employee, the application</p>	

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SCN.	<p>submitted by Animesh Mridha would have been pursued by both Animesh Mridha and her mother, the present applicant No. 1. In view of our above findings, we do not find any merit in the present original application. As a result, the original application is dismissed.</p> <p>Let plain copy of the order be supplied to both parties.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(R.K. Bag) MEMBER (J)</p>	