

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

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. P. Ramesh Kumar (Administrative Member)

Case No – OA 776 OF 2018

**KANIKA RAY & 22 ORS. 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>4 21.02.2019</p>	<p>For the Applicant : Mr. P. Dhole, Advocate</p> <p>For the State Respondents : Mr. G.P. Banerjee, Advocate</p> <p>For the Respondents : Mr. M.N. Roy, Advocate No. 5, 6, 8, 11,12, 14, 15, 17, 18, 19, 21, and 22</p> <p>Let Vakalatnama filed by Mr. M.N. Roy, learned advocate for the private respondent nos. 5, 6, 8, 11,12, 14, 15, 17, 18, 19, 21, and 22, be kept on record.</p> <p>At the very outset Mr. G.P. Banerjee, learned advocate for the State respondents submits that the application is not maintainable as the applicants are direct recruits pursuant to Group 'D' examination whereas the private respondents had been appointed on compassionate ground which is disputed by Mr. P. Dhole, learned advocate for the applicant relying on paragraph 12 of the Scheme for Compassionate Appointment of 2013.</p>	

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SCN.	<p>Mr. Ray, also raises the issue of maintainability of the application.</p> <p>Let reply be filed by 29<sup>th</sup> March, 2019. Rejoinder, if any, by 18<sup>th</sup> April, 2019. Let the matter appear under the heading “Reply / Rejoinder / Objection” on 2<sup>nd</sup> May, 2019. The point of maintainability is kept open.</p> <p>(P. Ramesh Kumar) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	