

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

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

Case No – OA 773 OF 2016

Mr. Manoj Mirdha 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 style="text-align: center;">10</p> <hr/> <p>07.03.2018</p>	<p>For the Applicant : None.</p> <p>For the State Respondent : Mr. Subit Kumar Mondal, Learned Advocate.</p> <p>None appears on behalf of the applicant on call, though today is the date fixed for order. We have heard Ld. Counsel representing the State Respondents.</p> <p>The applicant has filed the original application under Section 19 of the Administrative Tribunals Act, 1985 challenging the letter dated April 22, 2014 issued by the respondent no. 2 (annexure P-3 to the original application) and praying for direction upon the respondents to consider the representation submitted by the applicant on March 10, 2016 (annexure P-4 to the original application).</p> <p>The contention of the applicant is that one Gour Chandra Mirdha, GDA attached to Rajnagar Block Primary Health Centre in the district of Birbhum died on December 3, 2000. Gour Chandra Mirdha died leaving behind his wife and three sons including the present applicant as his dependants and legal heirs. It appears from the impugned letter dated April 22, 2014 issued by the Director of Health Services, Government of West Bengal that the initial prayer for compassionate appointment submitted by the wife of the deceased employee was rejected on the basis of Government orders applicable at the relevant point of time. It further appears from the said letter that the second son of the deceased employee, Soroj Mirdha submitted application for</p>	

ORDER SHEET**Mr. Manoj Mirdha**
.....

Form No.

Vs.**The State of West Bengal & Ors.**
.....Case No. **OA 773 OF 2016**

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
Rajib	<p>compassionate appointment in the year 2010 and the same was rejected on the ground that the said son was minor at the time of death of his father. The present applicant Monoj Mirdha being eldest son of the deceased employee submitted application for compassionate appointment after lapse of more than 12 years from the date of death of his father and as such the said application was also rejected. Since the applicant submitted the application for compassionate appointment after long 12 years of death of his father, we are of the view that there was no acute financial crisis in the family of the deceased employee for giving compassionate appointment and as such the respondent no. 2, rightly turned down the prayer of the applicant for compassionate appointment.</p> <p>In view of our above findings, we do not find any cogent reason to direct the respondents to consider the representation of the applicant for compassionate appointment, when the said representation is submitted after 16 years from the date of death of the father of the applicant.</p> <p>Accordingly, we do not find any merit in the present application and as such the original application is dismissed.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p>(Dr. S.K. Das) Member (A)</p> <p>(R.K. Bag) Member (J)</p>	

ORDER SHEET

Mr. Manoj Mirdha

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 773 OF 2016**

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
---	---	--