

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

**Case No. –MA-192 of 2019 (OA-369 of 2019)**

**Shyam Routh - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and  
Date of order

For the Applicant : Mrs. S. Mitra,  
Learned Advocate.  
For the State Respondent : Mrs. S. Agarwal,  
Learned Advocate.

11  
29.01.2021

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24.12.2020 issued in exercise of the power conferred under Sub-Section (6) of Section 5 of the Administrative Tribunal Act, 1985.

The instant MA has been filed praying for condonation of delay in filing the original application. As per the applicant, after the demise of his father on 14.10.2014 immediately thereafter he made a plain paper application on 03.12.2014 (Annexure-B, Page-10). Subsequently, he had also filed proforma application on 09.02.2015. However, till date no decision has been communicated to him. As he was waiting for the communication of the decision of the respondents, therefore, there is some delay in filing the instant original application. The counsel for the applicant has prayed for condonation of delay.

The counsel for the respondents has submitted that on 14.01.2016, a 2 (Three) Men Enquiry Committee submitted their report. However, she has admitted that no final decision has been communicated till date.

Heard both the parties. Since admittedly respondents have not communicated the final decision and as per the respondents only enquiry report is available with here, therefore for ends of justice delay is condoned. Therefore, MA is allowed.

During the course of hearing, the counsel for the

**ORDER SHEET**

Form No.

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applicant has submitted that as till today no decision has been communicated to him, it would suffice the purpose of the applicant if the Respondent No. 1 be directed to take final decision with regard to compassionate appointment of the applicant within a stipulated period of time. The counsel for the respondents has submitted that the applicant is Class-IV passed only as per the proforma application.

In view of the above, Respondent No. 1 is directed to take final decision with regard to compassionate appointment of the applicant and communicate the same by way of a reasoned and speaking order within a period of four months from the date of receipt of the order. Accordingly, both OA & MA are disposed of.

URMITA DATTA (SEN)  
MEMBER (J)

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