

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – MA 27 of 2021 [OA 597 of 2019]

Subhash Bandhu Goswami - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>02</u> 26.02.2021	For the Applicant For the State Respondent	: Mrs. S. Mitra, Ld. Advocate. : Mrs. S. Agarwal, Ld. Advocate.
---	---	--

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

The instant Miscellaneous Application has been filed praying for condonation of delay in filing the original application. According to the applicant, his father died on 04.04.2014. Therefore, the applicant made an application praying for compassionate appointment on 08.08.2014. But till date no final decision has been communicated to him. During the course of the hearing, the counsel for the applicant has further submitted that recently the Additional Director (Personnel), Directorate of Health Services & Ex-Officio Special Secretary, Department of Health & Family Welfare, Govt. of West Bengal vide his Memo. dated 02.02.2021 had requested the Chief Medical Officer of Health, Birbhum to arrange medical examination of the applicant as well as the applicant has provided Police Verification Roll form. Therefore, the counsel for the applicant has submitted that since his case is under active consideration, the delay may be condoned, otherwise the applicant would suffer irreparable loss and injury.

In view of the above, as no final decision has been taken till date delay is condoned. Let the copy of Memo. dated 02.02.2021 and format of Police Verification Roll be kept on record.

Accordingly, the delay is condoned and MA is **allowed**.

During the course of the hearing, the counsel for the applicant has

ORDER SHEET

Form No.

Subhash Bandhu Goswami

Case No. MA 27 of 2021 [OA 597 of 2019]

Vs.
THE STATE OF WEST BENGAL & ORS.

further submitted that since his case is under active consideration and no final decision has been communicated to him, it would suffice the purpose of the applicant, if the Principal Secretary to the Government of West Bengal, Department of Health & Family Welfare be directed to take final decision with regard to the compassionate appointment of the applicant and communicate the same.

In view of the above, the Principal Secretary to the Government of West Bengal, Department of Health & Family Welfare is directed to take final decision with regard to the compassionate appointment of the applicant and communicate the same within a period of three months from the date of receipt of the order by way of a reasoned and speaking order.

Accordingly, both the MA and OA are **disposed of**.

The parties are directed to act upon the Website copy of the order.

SS/CSM

Mrs. URMITA DATTA (SEN)
MEMBER (J)