

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

**Case No. – MA 61 OF 2020 [OA 290 of 2020]**

**Bidyut Bauri -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. S. Roy,  
Learned Advocate.  
For the State Respondent : None.

03  
19.02.2021

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

Mrs. S. Agarwal, Learned Advocate appearing on behalf of Mr. B.P. Roy, Learned Counsel for the state respondents.

The instant MA has been filed praying for condonation of delay of three years in filing the original application as his candidature for compassionate appointment was rejected by the Additional Secretary to the Govt. of West Bengal, Department of Forests vide order dated 23.09.2016. Since he is residing in a village, there is delay in filing the original application.

It is noted that the instant OA has been filed challenging the rejection order dated 23.09.2016 which was rejected on the ground that though the father of the applicant died on 12.09.2007. However, the application for compassionate appointment was first submitted almost four years later than the date of death of the deceased employee.

As the main purpose of granting compassionate appointment is to enable the family of the deceased employee to overcome the sudden financial crisis caused due to the sudden demise of the only earning member and the compassionate appointment is not a matter of right. Therefore, as admittedly the applicant had approached the authority after four years from the date of death of his father. Therefore, it is obvious that he had no immediate financial crisis or requirement after the death of his father. However, I do not find any merit to condone the delay as the applicant is always late in approaching the authority as well as this court. Accordingly,

**ORDER SHEET**

Form No.

**Bidyut Bauri**

Case No. **MA 61 of 2020 [OA 290 OF 2020]**

**Vs.**

**The State of West Bengal & Ors.**

MA is **rejected** and OA is also **dismissed** with no order as to cost.

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

Csm/SS

Mrs. URMITA DATTA (SEN)  
MEMBER (J)

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