

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 88 of 2021 [OA 245 of 2021]

Smt. Ruma Dutta & Another -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicants : Mrs. S. Agarwal,
Learned Advocate.

For the State Respondent : None.

02
17.05.2022

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

Affidavit of service has been filed today be kept on record.

The instant application has been filed by the Applicant No. 1 praying for a direction upon the respondents to consider the case of the Applicant No. 2 for appointment on compassionate ground. As per the Applicant No. 1, she is the wife of the deceased employee, who died on 24.04.2015. Subsequently, she made an application for appointment on compassionate ground on 04.05.2015 in favour of Applicant No. 2. Thereafter, the District Panchayat & Rural Development Officer, Purulia sent the proposal for appointment on compassionate ground in favour of her son i.e. the Applicant No. 2 to the Commissioner, Department of Panchayat & Rural Development, Government of West Bengal vide Memo. dated 11.06.2018 (Annexure-F). Subsequently, the District Magistrate, Purulia forwarded the representation of the Applicant No. 2 along with the Memo. dated 11.06.2018 to the Commissioner, Department of Panchayat & Rural Development, Government of West Bengal for necessary approval vide Memo. dated 16.08.2019 (Annexure-G). As no decision has been communicated to the applicants, the Applicant No. 1 submitted one representation on 02.03.2020 before the Additional Chief Secretary, Department of Panchayat & Rural Development, Government of West Bengal for consideration of her claim. Since no action has been taken by the respondent authority, being aggrieved with, they have preferred this application. The applicants have also filed one Miscellaneous Application for condonation of delay in approaching the Tribunal stating that during the pandemic situation and due to financial crisis, they could not approach the Tribunal as they were also waiting for the decision of the authority.

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During the course of the hearing, the counsel for the applicant has submitted that it would suffice the purpose of the applicants if the Respondent No. 1 be directed to taken the final decision with regard to the compassionate appointment of the Applicant No. 2 and communicate the same within the stipulated period of time.

None appears for the respondents.

In view of the above, the Additional Chief Secretary, Department of Panchayat & Rural Development, Government of West Bengal is directed to taken final decision with regard to the compassionate appointment of the Applicant No. 2 and to communicate the same by way of a reasoned and speaking order within a period of 12 (twelve) weeks from the date of receipt of the order.

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

**URMITA DATTA (SEN)
MEMBER (J)**

CSM/SS