

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present- *

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA-29 of 2023

Sadhan Murmu -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal,
Ld. Advocate.

For the State Respondent : None.

06
18.01.2024

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

The applicant has prayed for setting aside the impugned order no. 107 dated 22.09.2022. By this impugned order, the respondent has regretted the application for employment on compassionate ground for the reason that such an application was made after more than five (05) years from the date of death of his father.

Mrs. Agarwal, learned counsel for the applicant relying on the judgment of the Hon'ble Supreme Court of India submits that such rejection was unlawful and further the respondent authority ignored the very fact that within the time limit the applicant's mother had submitted a plain paper application on behalf of the applicant, her son.

Heard the learned counsel for the applicant, the matter is admitted.

Mrs. Agarwal wishes to file a copy of the relevant judgment on the next date.

Let the matter appear under the heading "**Hearing**" on **12.03.2024**.

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS