

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 – 348 of 2024**

**Samir Ram - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order <u>2</u> 02.09.2024	For the Applicant	: Mr. S. Ghosh, Mrs. S. Das, Advocates
	For the Respondents	: Mr. G. Halder, Advocate

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

This application has been filed praying for setting aside the impugned Memo 1211 dated 07.03.2024. By this reference, the Commissioner of Textiles & Sericulture conveyed his decision that the applicant's proposal for an employment under compassionate ground seems to be not a fit case and thus regretted. The father of the applicant, Late Sibaprasad Ram, Ex-Peon under Deputy Director, Sericulture, Cooch Behar died while in service on 07.03.2020. The applicant furnished a plain paper application addressed to the Deputy Director, Sericulture, Cooch Behar praying for such an employment which appears to have been received by the office on 15.10.2020. This was followed by submissions of the application in prescribed proforma and copy available in this application appears to show 05.03.2022 as the date when it was signed by the applicant with a signature appearing for Extension Officer, Sericulture, Dinhat, Cooch Behar dated 18.11.2022. Submissions of Mrs. Das, learned counsel, is that it is not correct as noted by the respondent authorities that such a proforma application was submitted on 18.11.2022, more than two years after the date of death of the deceased employee on 07.03.2020. Her submission is that, as evident from the copy of the proforma application, it was submitted on 05.03.2022, which is within two years from the date of death of the deceased employee. Further, the respondent authorities have completely ignored the fact that the applicant had also submitted his plain paper application before the Deputy Director, Sericulture on 15.10.2020. Mr. Halder, learned State Counsel having heard the arguments of Mrs. Das wishes to take instructions and submit his points on the next date of hearing.

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Matter is admitted.

Reply, rejoinder, if any, in the meantime.

Let the matter appear under the heading 'Hearing' on 18.12.2024.

**SAYEED AHMED BABA**  
**OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P