

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 – 355 of 2025

Tapan Das - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	: Mr. P. Dhole,
and		Mr. Manas Kumar Sadhu,
Date of order		Learned Advocates
<u>2</u>		
08.08.2025	For the Respondents	: Mrs. S. Mitra,
		Learned 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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed be kept in record.

The applicant has filed this application praying for a direction upon the respondent authorities for an appointment under compassionate ground after setting aside the impugned order No. 2026 dated 25.04.2025. By this correspondence, the Additional Director & Senior Special Secretary conveyed to the Chief Medical Officer of Health, Birbhum that the prayer of the applicant for such an employment has been regretted. The prayer was earlier considered by the respondent authorities and by Memo 788 dated 07.02.2012 was rejected showing the ground that both the applicant's, husband and her elder son are Government employees. By indicating such grounds, the respondent authorities were of the view that the applicant was not facing any financial difficulty.

Mr. Dhole, learned counsel draws attention to copy of the reasoned order passed by Director of Health Services dated 20.03.2025. Mr Dhole points out that in this reasoned order, the Director of Health Services had found the applicant eligible for an appointment under compassionate ground, which is subject to fulfilment of other eligibility crieterias.

Mrs. Mitra, when asked why the Director of Health Services had passed this order finding the applicant eligible for such an employment but later on 25.04.2025 it was regretted. Mrs. Mitra submits that, although the Director of Health Services passed this order dated 20.03.2023 finding the applicant to be eligible but the competent

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authority for such an employment did not accept such his recommendation. Therefore, the final order in Memo 2026 dated 25.04.2025 was communicated to the applicant regretting such a prayer.

Matter is admitted.

Reply is necessary in this matter, let the respondent authority file a reply and serve a copy to the other side.

Let the matter appear under the heading 'Hearing' on 24.11.2025.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P.