

**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 – 547 of 2023**

**Md. Nazesh - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. S. Bhattacharjee,  
and Learned Advocate  
Date of order

7  
20.08.2025

For the Respondents : None.

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.

Despite service of copy of this application and intimation by the applicant side, none has been appearing on behalf of the respondent authorities, particularly Additional Director (Personnel) & Special Secretary.

The applicant filed this application praying for setting aside the impugned Memo no. 2366 dated 17.03.2023 and prays for a direction upon the respondent authorities to offer him an appointment under compassionate ground. The Additional Director (Personnel) & Special Secretary communicated by this Memo to the applicant that his prayer for an employment under compassionate ground is regretted for the reason that he had submitted his prayer belatedly. Md. Sultan, the applicant's father had died on 08.11.2010 while working as a Sweeper (under the CMOH, Purulia).

Mr. Koley, learned counsel, who normally represents the Health and Family Welfare Department is requested to represent the State respondents in this matter. Learned Legal Remembrancer is requested to regularise his engagement on behalf of the respondent authorities.

Mr. Bhattacharjee, learned counsel submits that, although the proforma application was filed by this applicant on 23.02.2015 was after more than two years from the date of death of the deceased employee, but it is a fact that earlier on 28.12.2010 Md. Nasif, the brother had submitted the proforma application well within the permissible time praying for such an employment on his behalf. However, due to medical conditions he could not continue with such application and in his place the present applicant, elder son of the deceased employee had applied.

The matter is admitted.

Let the matter appear under the heading 'Hearing' on 04.12.2025.

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**Vs.**

**THE STATE OF WEST BENGAL & ORS.**

Reply, rejoinder in the mean time.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

A.K.P.