

**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 563 of 2024**

**Projwal Kumar Midya -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Sk. R. Alam,  
Ld. Advocate.

For the State Respondents : Mr. D. Kole,  
Ld. Advocate.

05  
20.08.2025

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for a direction to the respondent authority to provide an employment under compassionate ground. From a copy of the representation dated 29.10.2024, it appears that such a prayer was not considered earlier due to pendency of two criminal cases against the applicant. Since the applicant has been acquitted in these two cases, the applicant has again prayed before the Director of Employment to consider his application for compassionate employment. The applicant has already attained the age of 50 years.

Mr. Kole, learned counsel presents a copy of statement from the Directorate of Employment Exchange. The report mentions that since the applicant has already reached 50 years of age and since no appointment can be offered to persons who have crossed 40 years, a proposal has been submitted before the Labour Department in terms of Notification No. 251-Emp. dated 03.10.2013 read with F.D. Memo No. 1267-F(P) dated 10.02.2013 for condonation of excess age for appointment on compassionate ground. Mr. Kole further submits that the decision of the Labour Department is awaited and once such decision is received by the Directorate of Employment Exchange, suitable action will be taken in this matter.

Having heard the submissions and having examined the records, the Tribunal finds that the decision is now pending with the Labour Department relating to condonation of the excess age of

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the applicant.

In view of the above, the Tribunal directs the respondent no. 1, the Secretary, Department of Labour to examine the proposal submitted by the Directorate of Employment Exchange in e-file No. DOE-11014(11)/4/2024-SECTION (DOE)-DOE, Comp. No. 1093810 and take decision as per extant rules expeditiously, preferably within four (04) months from the date of communication of this order. Once such decision has been taken and conveyed to him, the respondent no. 3, the Director of Employment shall communicate the decision to the applicant within two (02) weeks.

Accordingly, this application is **disposed of**.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

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