

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member**

**Case No. –OA 601 OF 2023**

**ANUSREE BHATTACHARJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. S. Chattopadhyay,  
and Advocate  
Date of For the State Respondents : Mr. R.K. Mondal,  
order Advocate

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28.02.2024

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

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

The applicant has prayed for setting aside the impugned memo No.436 dated 03.08.2023. By this correspondence, the respondent No. (b), Milk Commissioner informs the applicant that her application for employment on compassionate ground was rejected. Learned counsel for the applicant submits that, as it appears from the impugned memo, the respondent has not cited any reason rejecting such application.

The proposal for compassionate employment was rejected by the respondent authority by its reference dated 03.08.2023. This communication, in few words has summarily rejected the application of the applicant by giving the reason that such application “does not fulfil the requisite condition”. The Tribunal finds that such rejection is a non-est in the eye of law because neither any specific ground has been stated nor any specific law has been quoted.

Mr. Mondal, learned counsel draws attention to pages 19 to 21 which appears to be correspondence addressed to the applicant advising the applicant to submit certain relevant documents in connection with her prayer for appointment on compassionate ground.

After hearing the submissions of the learned counsels and perusing the

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records, it is the finding of the Tribunal that the so-called reasoned order is not tenable and is to be quashed and set aside. The Tribunal also directs the applicant to respond to several letters of the respondent addressed to her advising to submit the relevant documents. Let such relevant documents be submitted by the applicant within eight weeks of communication of this order before the respondent authority. The respondent No.2, the Milk Commissioner is directed to examine these relevant documents if submitted by the applicant within the specified time and pass a reasoned and speaking order within twelve weeks from the date of submission of the documents and communicate the same to the applicant within two weeks thereof. The application is disposed of.

(SAYEED AHMED BABA)  
OFFICIATING CHAIRPERSON  
and MEMBER (A)

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL