

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 671 OF 2024

SATYAJIT ROY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	:	None
and Date of order	For the State Respondents	:	Mr. Gautam Pathak Banerjee, Learned Advocate

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07.08.2025

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 23rd 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 authorities to give an employment to the applicant under compassionate ground by setting aside the reasoned order dated 30.10.2024 issued by the Director of Health Service.

The father of the applicant, Mrinal Kanti Roy superannuated in the year 2003. The mother, Sova Rani Roy, was missing since 05.10.1997. On 12.10.2012, the learned Civil Judge (Junior Division), Paschim Medinipur presumed her dead. The application for compassionate employment was submitted on 02.03.2015. Since it was not responded, the applicant approached the Tribunal by way of filing O.A. 941 of 2015. The Tribunal, by its order dated 25.04.2022, directed the respondent authority to consider the application of the applicant and pass a reasoned order. In compliance of the said order of the Tribunal dated 25.04.2022, the Director of Health Service passed a reasoned order dated 30.11.2024, which was communicated to the applicant on 05.11.2024. The application was not considered because the applicant applied in prescribed proforma after lapse of 2 years and 5 months and on financial ground also.

Having heard the submissions of the learned counsels and on perusal of the records in this application, the Tribunal finds that at the time of his mother missing, the father was still in service. The applicant has not expressed and satisfied this Tribunal that there was acute financial stringency due to his mother's absence. The guidelines in Notification 251-Emp dated 03.12.2013 and 26-Emp dated

ORDER SHEET

Form No.

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01.03.2016 primarily requires financial criteria to be fulfilled. For compassionate employment, the applicant should be found to be eligible and suitable for the post in all respects under the provisions of the relevant rules. The authority was correct in taking the decision as per the guidelines and the Rules. Thus, being devoid of any merit, this application is disposed of without passing any orders.

SCN.

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

WEST BENGAL ADMINISTRATIVE TRIBUNAL