

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

Case No. – OA-912 of 2017

Buddhadeb Adharyu & Anr. VERSUS – The State of West Bengal & Ors.

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

For the State Respondents : Mrs. S. Agarwal,
Learned Advocate.

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21.04.2022

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

On consent of both the parties, matter has been taken up.

The instant application has been filed praying for a direction upon the authority to consider the compassionate appointment of the applicant No. 1. As per the applicant, his father died on 23.12.2004. Thereafter his mother, the applicant no. 2 had approached before the authority for compassionate appointment in favour of the applicant (1) i.e. son of the applicant no. 2 vide representation dated 25.05.2005. Subsequently, vide letter dated 02.02.2015, the Dy. Commissioner of Police (II) had informed the applicant No. (1) that one proposal had already been sent to the Assistant Secretary to the Govt. of West Bengal, Home (Police) Department vide Memo dated 12.11.2014 for approval. However, till date no final decision has been communicated.

During the pendency of the instant application, the respondents has submitted that as the applicant No. (1) was minor, so as per Labour Department's circular, he is not entitled for compassionate appointment, therefore, the case of the applicant No. (2) has been considered subject to approval of competent authority. However, she has not submitted any document as asked for on 22.02.2018. Therefore, they cannot take any decision with regard to compassionate appointment for any of the applicants.

ORDER SHEET

Form No.

Buddhadeb Adharyu & Anr

Vs.

Case No. **OA-912 of 2017**

The State of West Bengal & Ors.

Heard both the parties and perused the records. It is noted that till date no final decision has been communicated to the applicants for compassionate appointment. Therefore, I direct the Additional Chief Secretary, Home & Hill Affairs Department, Police Branch, to take final decision with regard to compassionate appointment of the applicants and communicate the said decision by way of passing a reasoned and speaking order within a period of eight weeks from the date of receipt of the order. Accordingly, OA is disposed of with no order as to costs.

URMITA DATTA (SEN)
MEMBER (J)

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