

**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-920 of 2021**

**Sukalyan Bose -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. Sourav Bhattacharjee,  
Ld. Advocate.  
For the State Respondent : Mr. M.N. Roy,  
Ld. Advocate.

07  
06.08.2024

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.

The father of the applicant, a Constable with West Bengal Police had died while in service on 22.06.2003. The applicant being one of the sons had applied for an employment under compassionate ground. The copies of documents in this application are enough indicators to indicate that such an application was processed by the respective authorities. A message conveyed to I.C., Nimta Police Station by Superintendent of Police, Krishnanagar reveals that the applicant was not found eligible for such employment on the ground that he was a mere boy of 10 years, 9 months and 4 days only at the time of death of his father. The message also advises whether any other siblings or eligible dependent legal heirs have submitted their written declaration for such an employment. The fact that the applicant was a minor at the time of death of his father is not in dispute. However, Mr. Bhattacharjee, learned counsel for the applicant submits that this impugned reference does not cite any specific rule by which his application was turned down. Further submission is that in the year 2021, when the Superintendent of Police, Krishnanagar had sought information regarding other eligible members, by then, the applicant had already attained the age of employment, therefore, such rejection on the ground being a minor in the year 2003 is not a valid ground at the time of consideration. Mr. Roy, learned counsel responding to what Mr. Bhattacharjee submitted, emphasises that at that point of relevant time, he was a minor and thus not eligible under the extant rules of the Scheme.

Having heard the submissions of the learned counsels and on examination of the records, it is abundantly clear to the Tribunal and also not in dispute, that the applicant was a minor of around 10 years old when his

**ORDER SHEET**

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father had expired. The rules governing this Scheme does not entitle such a minor legal heir for an employment under compassionate ground. Since the applicant was not found to be eligible for such an employment, neither during the time when he applied nor at the time when the Superintendent of Police, Krishnanagar issued the Memo. No. 6662 dated 23.09.2021, the Tribunal is not satisfied with such a prayer in this application.

Accordingly, this application is **disposed of** without passing any order.

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

CSM/SS