

**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 1066 OF 2015**

**LATA NAYAK - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicants : Mr. A. Bhadra,  
and Advocate

Date of For the State Respondents : Mr. Sankha Ghosh,  
order Advocate

23  
14.03.2023

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 prayer in this application is for a compassionate employment. After the death of her father the applicant started working in the same place on contractual / temporary basis.

Submission of the learned counsel for the applicant is that although representations were submitted before the respondents, no remedy has been given.

Submission is that a direction may be given to the respondent to consider her application for compassionate employment or absorption into a permanent position.

Mr. S. Ghosh, learned counsel for the respondents submits that this application is not maintainable for the reason that her father died-in-harness in the year 2011 and from the records it is clear that no application for compassionate employment was presented before the respondent by the applicant within the time limit. The prayer in the application is not clear whether she is applying for compassionate employment or asking for regularisation of her contractual service into a permanent post.

After hearing the submissions of the learned counsels, the respondent No.3,

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Block Medical Officer (Health) Chandpara Block Primary Health Centre, Chandpara Block, District North 24-Parganas, is directed to consider her representation and dispose of the same as per law. Liberty is also given to the applicant to file a fresh representation before the respondent No.3, Block Medical Officer (Health) Chandpara Block Primary Health Centre, Chandpara Block, District North 24-Parganas. If such representation is filed within time as stipulated, the said respondent No.3 shall dispose of the same by passing a reasoned order as per Rule within twelve weeks from the date of such a representation is filed by the applicant before him.

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

SCN.

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