

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-1118 of 2017

Bisokha Pal VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. M.K. Sanyal, Learned
<u>12</u> 17.02.2022	For the State Respondent	:	Mr. A. De, Ms. R. Sarkar, Departmental Representatives.

The counsel for the applicant at the first instance has prayed for leave to make proper correction in the cause title with regard to Respondent No. 1 and want to delete the name of Joint L.R.C. Prayer is allowed. Counsel for the applicant is directed to make appropriate amendment in the cause title in course of this day.

The instant application has been filed mainly challenging Memo dated 14.12.2015 (Annexure—E), whereby the claim of the applicant for compassionate appointment has been rejected. According to the applicant, from the perusal of the impugned order, it would be evident the said order is non speaking order one. Therefore, he has prayed for quashing of the said impugned order.

Departmental representative of the Land and Land Reforms Department has submitted that they are ready reconsider the case of the applicant by way of passing reasoned and speaking order.

We have heard both the parties and perused the records. It is noted that in the impugned order, the following order has been passed :-

“In terms of DLR & S & Jt. LRC, WB's Memo No. under reference this is to inform you that your prayer for employment on compassionate ground has been rejected as per notification no. 251-EMP dated 3.12.2013”.

From the perusal of the order it is evident that the order is none of speaking one. Therefore, I quash and set aside the order dated 14.12.2015 and remand back the matter to the Secretary, L & L R Department for reconsideration with a direction to communicate his decision by way of

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passing a reasoned and speaking order within a period of 12 (twelve) weeks from the date of receipt of the order. Accordingly, OA is disposed of with no order as to costs.

Since the circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

URMITA DATTA (SEN)
MEMBER (J)

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