

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. – OA 114 of 2021**

**Indrani Mahato - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. D. Koley Advocate.
<u>02</u> 15.03.2021	For the State Respondent	: Mr. B.P. Roy, Mr. G.P. Banerjee, Advocates.

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 issued in exercise of the powers conferred under Sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

Since it is submitted by Mr. D. Koley, learned advocate for the applicant that pursuant to the order dated 15<sup>th</sup> February, 2021, the respondents have been served with copies of the application, he is directed to affirm and file affidavit of service by 16<sup>th</sup> March, 2021 in the registry.

In this application, Indrani Mahato, the wife of one Pranab Mahato, who expired on 7<sup>th</sup> March, 2016 while working as Forest Guard under Divisional Forest Officer, Kangsabati North Division in the district of Purulia, has prayed for a direction upon the respondents to appoint her in the died-in-harness category in place of her deceased husband.

It is submitted by Mr. Koley, that pursuant to the order dated 18<sup>th</sup> May, 2018, passed in OA 871 of 2016 (Indrani Mahato Vs. State of West Bengal & Others), though the applicant has received death gratuity, leave salary, provident fund in equal share with her mother-in-law, however though an application for appointment on compassionate ground was submitted pursuant to the leave granted by the said order, it

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is yet to be considered. Submission is the application for compassionate appointment, appearing at pages 18 to 22 of the application, may be directed to be considered by the respondent authorities.

It is submitted by Mr. B.P. Roy, learned advocate for the State respondents that if directed, the State respondents will consider the said application in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case and as prayed for on behalf of the applicant, the application is disposed of by directing the Principal Secretary, Directorate of Forests, Kolkata, the respondent no. 1, to dispose of the application of the applicant for appointment on compassionate ground by passing a reasoned order to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the internet / website after giving an opportunity of hearing to the applicant and to her mother-in-law and after verifying the records. I make it clear that I have not gone into the merits of the matter and all the points are left open to be dealt with by the respondent no. 1.

(SOUMITRA PAL)  
CHAIRMAN

Rajib

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