

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. –OA 118 of 2021

NEPAL BHATTACHARJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

02
05.04.2021

For the Applicant

: Ms.B.Sarbajna
Advocate

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

Let affidavit of service filed today be kept on record.

In the application, Nepal Bhattacharjee, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:

(a) A mandatory order directing the respondent to give appointment of the applicant under compassionate ground in the Burdwan Medical College and Hospital.

It appears that the father of the applicant was a G.D.A. of Burdwan Medical College and Hospital at Purba Burdwan who had expired on 16th August, 2018 while in service. On 13th December, 2018, the applicant filed an application for appointment on compassionate ground. It has been stated that the Medical Superintendent-cum-vice Principal, Burdwan Medical College and Hospital constituted a 4 (four) member committee on 8th January, 2019, directing them to submit a report. By order dated 8th January, 2019, the enquiry committee was requested to make an enquiry on 29th January, 2019 and all candidates, as it appears including the applicant, were instructed to be present on that date. According to Ms.B.Sarbajna, learned advocate for the applicant, since the applicant after the death of his father is in financial distress and as the other family members do not object to his appointment on compassionate ground as

ORDER SHEET

Form No.

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evident from the copies of the affidavits and annexures appearing from pages 19 to 26 of the application, appropriate order may be passed.

Mrs.S.Agarwal, learned advocate appearing on behalf of the State authorities submits, if directed, the respondents shall take steps in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Director of Health Services, Government of West Bengal, the respondent no. 2 (2) to pass a reasoned order regarding the appointment of the applicant on compassionate ground after considering the report furnished by the 4 (four) member committee, after giving an opportunity of hearing to the applicant, after making proper inquiry particularly with regard to the annexures appearing from pages 19 to 26 of the application and in accordance with law, within 15 weeks from the date of presentation of a copy of this order downloaded from the Internet/ website. I make it clear that I have not gone into the merits of the matter and all points are left open to be dealt with the by the respondent no. 2(2).

(SOUMITRA PAL)
CHAIRMAN

BLR