

**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 12 OF 2024**

**ANITA CHATTOPADHYAY (HAZRA) - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and

Date of order

02

05.08.2024

For the Applicant : Mr.S.Bhattacharjee  
Mrs.Subarna Das  
Advocates

For the State respondents : Mr.Sankha Ghosh  
Mrs.Sunita Agarwal  
Advocates

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 contesting parties, the case is taken up for consideration sitting singly.

The applicant, married daughter of the deceased employee-Shyama Prasad Hazra, has filed this application praying for a direction to the respondent authorities to consider her application for an employment on compassionate ground. The deceased employee had died while in service on 24.12.2013. It is not in dispute that this applicant had applied for such an employment by presenting a plain paper application on 11.03.2014. Attention is drawn to page 42 of this application which appears to be an advise from the Superintending Engineer to the Executive Engineer dated 04.11.2022, advising resubmission of the proposal. Mr.Bhattacharjee, learned counsel for the applicant relying on this correspondence, argues that the applicant had furnished all the required papers before the respondent authorities. Since the correspondence relates to the question of whether a married daughter is also entitled or not for such an appointment, Mr.Bhattacharjee refers to Notification Labr- 419 dated 04.11.2022. By this amendment in the

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guideline, even married daughters are entitled to apply for such a compassionate employment. Mrs. Agarwal, learned counsel submits that, if directed, the competent authority will consider the merits of the case and dispose of the same.

Having heard the submissions of the learned counsels, this application is disposed of by directing the respondent No. 1, the Additional Chief Secretary, Water Resources Development Department to consider the application as per merit of the case and extant rules within four months from the date of communication of this order and convey the decision to the applicant within two weeks thereof. The application is disposed of.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR