

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-131 of 2022

Saikat Mitra **VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	:	Mr. S. Nag,, Learned Advocate,
<u>04</u> 29.06.2022	For the State Respondent	:	Mrs. S. Agarwal, Learned Advocate.

The mother of the applicant was an A.N.M. working in Haripal BPHC, Hooghly who died in harness on 19.05.1996. At the time of his mother's death, the applicant was only 2 years and 2 months old. Later on 29.07.2016 when the applicant attained majority, he applied for a job under compassionate ground alongwith proforma application.

Considering the application, the respondents citing relevant Govt. Notification, rejected the application on the ground that the applicant was a minor at the time of his mother's death. Therefore, he is not eligible for compassionate employment under this Scheme.

Learned advocate for the applicant submits that after the death of the mother of the applicant, only eligible person in the family was his father, but due to circumstances beyond family's control, the father could not apply. Therefore, the applicant after attaining his age, has applied which considering the family's economic condition should be accepted for compassionate employment by setting aside the impugned order and giving a direction to the respondent in this regard.

Mrs. Agarwal submits that as per existing Govt.

Vs.

The State of West Bengal & Ors
Notification, since the applicant was a minor at the time of his mother's death, he is not eligible for job on compassionate ground. This application is not maintainable and should be dismissed.

Mr. Nag submits that an accommodation may be given so that by the next date he will be submitting relevant judgements to support his claim. Prayer is allowed. Let the matter be listed under the heading "Hearing" on **27.09.2022**.

SAYEED AHMED BABA
MEMBER (A)

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