

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 132 of 2023.

SUPROTIM SARKAR – VS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

3  
31.7.2023

For the Applicant : Mr. G.P. Banerjee,  
Md. Ahsanuzzaman,  
Ms. A.P. Banerjee,  
Advocates.

For the State Respondents : Mrs. S. Agarwal,  
Advocate.

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

Mrs. S. Agarwal, learned counsel submits that the application for compassionate employment was rejected by the respondent authority on the ground that the applicant was minor at the time of death of the deceased employee. Further, the respondent also found that the gross monthly income of the family is above 90 per cent of the last salary drawn by the deceased employee. In terms of 6(a) and 6(c) of Notification 251-Emp dated 3.12.2013, the application for appointment on compassionate ground was regretted.

In response to Mr. G.P. Banerjee, learned counsel for the applicant submits that the order passed by the respondent authorities rejecting the application is not in accordance with law and prays for accommodation to the next date to rely on relevant Apex Court judgements.

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Mrs. Agarwal prays for accommodation to file reply by the next date.  
Let the matter appear under the heading "Hearing" on 14<sup>th</sup> February, 2024. Reply and  
rejoinder, if any in the meantime.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

Sk.

WEST BENGAL ADMINISTRATIVE TRIBUNAL