

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-16 of 2022

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|---------------------------------|--|---|---|
| Serial No. and Date of order | Mampi Bhattacharjee For the Applicant | VERSUS – The State of West Bengal & Ors. | Mr. R.K. Acharyya, Learned Advocate. |
| <u>05</u> 13.09.2022 | For the State Respondents | : | Mr. S. Ghosh, Learned Advocate. |
| | For the private respondent No. 4 | | Mr. P. Paul, Learned Advocate. |

Vakalatnama filed by the Private respondent No. 4. Let it be kept with the record.

In this application the applicant prays for directing the respondents to set aside the reasoned order dated 16.09.2021. In the impugned order, the respondent after considering claims from two siblings ordered the issue of who will be the beneficiary applicant for compassionate employment be resolved among themselves. The respondents also ordered that the beneficiary applicant should also submit necessary NOC from others to the effect that they have no objection for compassionate employment to the applicant who would be the unanimous legal heir for compassionate employment.

It appears that after the death of Rajib Bhattacharjee, who was an employee and posted as Khalasi under the River Research Institute, Haringhata, Nadia, the present applicant in this OA, Mampi Bhattacharjee applied for compassionate employment. At the same time, Soma Mondal, widow of the deceased also submitted an application for compassionate employment on behalf of her minor son, Arindam Bhattacharjee. Since neither of the applicants were supported by N.O.C. from

other members of the family, the respondent authority was not in a position to process the proposal and hence the respondent asked the applicant themselves to resolve who would be the beneficiary applicant for compassionate employment.

After hearing the learned advocates and considering the facts and circumstances, the application is disposed of by directing the applicant Mampi Bhattacharjee and the private respondent Soma Mondal and Arindam Bhattacharjee to first resolve amicably within the family the issue of who would apply for compassionate employment. Once this issue is resolved, they have liberty to apply before the respondent, with supporting documents and NOC from each legal heir.

Accordingly, OA is disposed of.

SAYEED AHMED BABA
MEMBER (A)