

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. - OA 212 of 2021**

Chandan Mardi - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Mr. S. Bhattacharjee, Advocates.
<u>2</u> 19.04.2021	For the State respondents	: Mr. S.N. Ray, Advocate.

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

In this application, Chandan Mardi – the applicant has prayed for certain reliefs, the relevant portion of which is as under :

*“.....(a) A mandatory order directing the respondent authorities to complete all process of compassionate appointment of the applicant from death in harness category without committing any further delay keeping in view that a period of eight years has already expired after the death of the applicant's father and to issue order of appointment of the applicant on compassionate ground immediately on completion of the process of compassionate appointment and to act in accordance with law.”*

It appears that the father of the applicant, Dhena Mardi was a Krishi Shramik in Sisal Plantation Farm, Rajnagar, Birbhum and had expired on 10<sup>th</sup> August, 2012, while in service leaving behind the heirs and legal representatives, the names of whom are enumerated in paragraph 6.3 of the original application. It is evident that the applicant on 17<sup>th</sup> August, 2012 had filed an application before the Deputy Director of Agriculture

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(Administration) praying for appointment on compassionate ground. It has been stated that the heirs including the younger brother of the applicant have no objection if the applicant is provided with appointment on compassionate ground.

It has been stated by Mrs. Agarwal, learned advocate for the applicant that though a representation dated 23<sup>rd</sup> November, 2020 was furnished before the authorities, no action has been taken. Aggrieved this application has been filed.

It is submitted by Mr. S.N. Ray, learned advocate for the State respondents that, if directed, the respondent authorities will consider the matter in accordance with law.

Having heard the learned advocates for the parties and as prayed for on behalf of the applicant, the application is disposed of by directing the Additional Chief Secretary, Department of Agriculture, Howrah, the respondent no. 2(1) to dispose of the representation dated 23<sup>rd</sup> November, 2020, appearing at page 39 of the application, by passing a reasoned order to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the internet / website after giving an opportunity of hearing to the applicant, the heirs and legal representatives of Dhena Mardi and after verifying the records and after making necessary enquiry.

(SOUMITRA PAL)  
CHAIRMAN

Rajib

**ORDER SHEET**

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