

**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 248 of 2019.

AMLESH SINGH – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

13  
12.4.2023

For the Applicant : Mr. D.C. Mondal,  
Mrs. S. Das,  
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.

The prayer in this application is for a direction to the respondent authorities to offer employment on compassionate ground for his father, who died as a Guard while in service under the Estate Manager, Kalyani. Based on the application by the applicant, this Tribunal in OA 627 of 2015 directed the respondent No. (i) to submit certain relevant documents. As per the learned counsel, such documents were submitted before the respondent by the applicant on 22<sup>nd</sup> November, 2017. The Estate Manager had also asked the applicant to submit documents proving monthly income from moveable and immovable properties and also the monthly income of the dependants of the ex-employee. As per the learned counsel, these documents were also submitted before the respondent.

It is submitted that despite submission of all relevant documents as asked for, the respondent has neither issued any appointment letter nor intimated the applicant regarding the position. He submits that direction may be given to the

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respondent to consider the letter of the legal counsel appearing at annexure –J dated 13<sup>th</sup> February, 2019 submitted before the Estate Manager, Kalyani.

Mrs. S. Agarwal, learned counsel appearing for the State respondents submits that as indicated in the respondent's reply, certain documents which were asked for from the applicant have not been submitted by the applicant as yet. Therefore, the respondent is not in a position to complete the process of his application for compassionate employment.

After hearing the submission of the learned counsels, it is clear that some kind of communication gap is there between the applicant and the respondent regarding the kind of documents to be submitted or already submitted by the applicant. The only way to clear this position and assist in expediting the process of this application is by directing the applicant to appear before the office of the respondent no. 3 with copies of all supporting documents within six weeks from the date of communication of this order.

The respondent no. 3 – the Estate Manager is directed to examine the documents earlier submitted by the applicant and if in his opinion, any document is yet to be submitted by the applicant, the same may be clearly explained to the applicant in person as well as in writing. Thereafter, if the respondent find that all required relevant documents have been furnished by the applicant, then further work to process the application for compassionate employment shall be initiated within two weeks thereof.

Accordingly the application is disposed of.

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

Skg.