

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

**The Hon'ble SAYEED AHMED BABA, Officiating Chairperson & Member (A)**

**Case No. – OA- 277 of 2020**

**Anindita Bose VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. M.N. Roy,  
Mr. R.K. Mondal,  
Learned Advocates.

03  
27.06.2023

For the State  
Respondents : Mrs. S. Agarwal,  
Learned 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 learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Continuing the submissions from the previous date, Mrs. Agarwal submits that the question of hardship is not relevant because for two years and seven months she was a married woman and not dependent on the father's income. Hardship is one of the most important indicators to understand whether a compassionate employment is really needed by the family of the deceased employee, as stipulated in all the Emp. Notifications. Finally, Mrs. Agarwal questions the very maintainability of this application on the ground that this impugned order passed on 10.09.2018 is being challenged after filing this application in the year 2020, thus after a gap of more than two years. Therefore, due to limitation point also, this application is not maintainable.

To continue her submissions, Mrs. Agarwal prays for

adjournment.

Let the matter appear under the heading Hearing on  
**27.07.2023.**

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

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