

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

**The Hon'ble Sayeed Ahmed Baba, Administrative Member.**

**Case No. –OA 278 of 2021**

**Mr. Murali Das. - Versus - The State of West Bengal & Others.**

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Mr. M. Chakraborty, Mr. M. K. Shaw, Advocates.
<u>02</u> 01.09.2022.	For the State Respondents	: Mrs. S. Bandyopadhyay, Advocate.

In the application, the applicant has prayed for an appointment under died-in-harness scheme. The father of the employee worked as a Group- 'D' Sweeper under Assistant Engineer, Housing Construction, Kalyani, Nadia and died-in-harness on 04.04.1997. Thereafter, based on application for employment by the applicant, the respondent authority considered the same and rejected the prayer on the ground that the deceased employee was not a permanent employee, thus not entitled for compassionate employment to his legal heir. The submission of the learned counsel for the applicant is that the deceased employee was made a permanent employee by an office order no. 4855/1(10) dated 14.11.1977. So in final submission the learned counsel states that the deceased employee was a permanent employee since 1977 and the wife of the deceased has also been receiving the family pension. Therefore, the applicant is entitled for an employment under compassionate employment scheme. Therefore, the impugned order be set aside and quashed with a direction to offer employment to the applicant.

Mrs. S. Bandyopadhyay, learned advocate appearing on behalf of the state respondents prays for adjournment for submission of a reply by the next date.

Let the matter appear under the heading "To Be Mentioned" on 15.12.2022.

(SAYEED AHMED BABA)  
MEMBER(A)

S.M.