#### ORDER SHEET

# WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata - 700 091.

#### Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

## Case No. – <u>OA 301 of 2023</u>

Smt. Purnima Paswan & Ors. -- VERSUS - The State of West Bengal & Ors.

Serial No. and

For the Applicants

: Mr. K. Chakraborty, Ld. Advocate.

Date of order

For the State respondent

: Ms. R. Sarkar,

22.09.2023

Mr. S. Debray,

Mrs. A. Bhattacharya,

Depttl. Reps.

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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for a direction upon the respondent authorities to consider his prayer for employment under compassionate ground.

In brief, as it appears from the submission of the learned counsels and the records that way back after the death of Arjun Paswan on 12.09.2001, an application for such employment was filed by the widow, mother of this applicant. From the record, it appears there was some action taken by the respondent authorities in processing this application. In particular, a correspondence made by the Director of Land Records & Surveys and Jt. Land Reforms Commissioner to the Department dated 28.02.2011 reveals that the applicant was not found eligible for such employment since the total family income did not fall below 90% of the gross monthly salary drawn by the deceased before his death. However, the Department does not seem to have taken the final decision after consideration and communicate the same to the applicant.

Submission of Mr. Chakraborty, learned counsel for the applicant is that this is an old matter in which the Department is sitting tight and not taking any decision. Responding on behalf of the Department, Ms. Sarkar, learned Departmental Representative, however, contests admission of this application on the ground that there is a serious point of limitation in this application since

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the applicant's father had deceased on 12.09.2001 and this application has been filed in this Tribunal this year in 2023. However, Ms. Sarkar agrees to check up the status of this application from the Department and update the same on the next date.

Let this matter be listed under the heading "Admission Hearing" on 06.02.2024 keeping the point of limitation open.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

SS/SM