

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-320 of 2022

Suprana Roy VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. G. Halder,
Learned Advocate.

03
19.07.2022

For the State
Respondents : Mr. G.P. Banerjee,
Learned Advocate.

In this application, the applicant Suparna Roy prays for a direction to the respondents to offer her an employment on compassionate ground by setting aside the impugned order dated 22.07.2021.

The applicant's deceased father Sasanka Roy was an Armed Assistant Sub-Inspector of Police with Kolkata Police who died in harness on 08.09.2020.. Soon after on 21.12.2020, the mother of the applicant submitted an application before the respondents to consider offering compassionate employment to her daughter Suparna Roy.

The respondents considered her application and rejected the same on the ground that the applicant Suparna Roy is a married woman. As per Para 3 (d) of Labour Notification No. 251-Emp dated 01.03.2013, married daughters on the death of the employee are not eligible for compassionate employment.

Mr. Halder appearing on behalf of the applicant submits that the Hon'ble High Court of Calcutta in WPST No. 447 of 2013 Arpita Sarkar Vs. State of West Bengal & Ors read with WPST 78 of 2014 Kakoli Chakraborty Vs. State of West Bengal & Ors, the Hon'ble Court held that even a married daughter is entitled to

compassionate employment.

Mr. Banerjee submits that in the light of the High Court Judgement above, if so directed, the respondent will re-consider the matter.

In view of the above, the matter is disposed of by setting aside the impugned order dated 15.06.2021 and directing the Respondent No. 1 to re-consider the application of the applicant for compassionate employment in the light of the judgement quoted above within a period of 12 (twelve) weeks from the date of this order to be obtained from the Website of the Tribunal. The order of the respondent should also be communicated within three weeks from the order of the respondents. Accordingly, OA is disposed of.

SAYEED AHMED BABA
MEMBER (A)

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