

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 322 of 2023.

SHRI BUDDHADEB GOSWAMI - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

07
14.11.2024

For the Applicant : Mr. Saikat Chatterjee
Advocate.
For the State Respondents : Mr. D. Koley,
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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer in this application is for setting aside the rejection order for employment under compassionate ground passed by the respondent authority on June 10, 2019. The Tribunal after being satisfied of sufficient cause had condoned the delay in filing this application by an order in MA 84 of 2023. The applicant's father, Kalipada Goswami had died while in service on 25.02.1995 working as a police constable in Paschim Medinipur. At the time of death of Kalipada Goswami, the applicant was a minor and applied for himself on 20.04.2010 when he attained the age of employment.

From the above facts, two things become clear that :-

- (i) That the applicant was a minor at the time of death of his father.
- (ii) After attaining maturity, the applicant submitted his application on 20.04.2010, after fifteen years from the date of death of the employee.

Having heard the submissions of the learned counsels and after examination of the records, the Tribunal is of the clear impression that such an application was not in conformity with the extant rules as stipulated in Emp-251 dated

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03rd December, 2013 and 26-Emp dated 01st March, 2016. In terms of these Notifications covering compassionate employment, the applicant had not fulfilled the eligible criteria. Hence, not finding any merit in this case, this application is disposed of without passing any order.

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

Sk.