

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. – OA - 347 of 2022

Kinkar Manna - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

13
21.01.2025

For the Applicant : Mrs. Sonali Mitra,
Learned Advocate.

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

Amarendra Manna a former Roller Driver and father of the applicant had died in harness on 03.01.2007. During the lifetime of the deceased employee, he had married second time with one Kanchan Manna. The applicant is the son of the deceased employee from Kanchan Manna. The first wife being the private respondent, Chabi Rani Manna. This applicant had prayed for an employment under compassionate ground being the son of the deceased employee. It has been submitted by Mrs. Mitra, learned counsel that such an application for employment was furnished after getting No Objection Certificate from each of the family members including the first wife, Chabi Rani Manna and Sushila Manna, her daughter. Submission is that since all the members have consented for the applicant's prayer, the respondent authority ought to have taken the decision and offered such an employment. From the reply filed by the state respondents, it appears they are insisting on Chabi Rani Manna to furnish a legal heirship certificate

incorporating the name of Kanchan Manna also. Chabi Rani Manna has not been able to furnish such a legal heirship certificate. The Tribunal wonders whether such legal heirship certificate in the name of the first wife, Chabi Rani Manna and also having the name of Kanchan Manna, the second wife is possible. It has also been certified by both the sides that none in the family of the two wives, except this applicant, else has applied for employment under compassionate ground. To confirm the above submissions recorded in the foregoing paragraphs it is necessary that the private respondent, Chabi Rani Manna and Sushila Manna be added as private respondents. Liberty is given to the applicant's side to add them as private respondents and serve a copy of this application along with copy of this order.

Let the matter appear under the heading **Hearing on 03.04.2025.**

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

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