

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 361 of 2024.

RAJESH DOME - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

02  
09.12.2024

For the Applicant : Mr. Sk. Humayan Reza,  
Advocate.  
For the State Respondents : Mrs. S. Agarwal  
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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

Attention is drawn to the copy of the reasoned order passed by the Director of Health Services dated 15.2.2023. Submission of Mr. Sk. H. Reza, learned counsel is that, despite a clear order of the Director of Health Services in his reasoned order dated 15.02.2023 for issuing the appointment letter, the applicant has not yet been favoured with such an order. On examination of the reasoned order, it is clear to this Tribunal that the Director of Health Services after considering the application of the applicant had accepted the prayer of the applicant for an appointment under compassionate ground. He further directed his Office to take appropriate steps accordingly. The relevant part of the reasoned order is as under :-

*“.....Now, therefore, in compliance with the order of the Hon'ble Tribunal the prayer of the petitioner was examined in the light of existing Government rules in terms of Notification No. 251-EMP dated 03.12.2023 read with Notification No. 26-EMP dated 01.03.2016 & LABR/419/Law dtd. 04.11.2022 issued by the Labour Deptt., GoWB, it is ordered that, the prayer of the petitioner, Rajesh Dom, for issuance of appointment towards Compassionate Ground is accepted and accordingly, the Compassionate Ground Cell of this Directorate will take appropriate steps in this regard in accordance with law immediately....”.*

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Mrs. Agarwal, learned counsel having heard the submission from the other side prays for accommodation to present her submission on the next date of hearing.

The matter is admitted.

Let the matter appear under the heading "For Orders" on 14.01.2025.

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

Sk.