

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 369 OF 2022

SMT. PARBATI NAYAK - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. Bidyut Kumar Halder, Mr. Indranil Halder, Advocates
<u>4</u> 16.08.2022	For the State Respondents	: Mr. Gautam Pathak Banerjee, Mr. Biswa Priya Ray, Advocates

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.496-WBAT / 1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

In this application, Parbati Nayak, the applicant has prayed for a direction upon the respondents to grant appointment to her in the died-in-harness category due to the death of his father, who was employed as a Sweeper under the State of West Bengal and had expired on 15th December, 1995. It is submitted by Mr. Bidyut Kumar Halder, learned advocate for the applicant that though representations dated 12th July, 2012, 3rd September, 2018, 5th July, 2019 and 10th September, 2019, were filed praying for compassionate appointment, those have not been considered. Prayer is the respondents may be directed to consider the applications of the applicant for compassionate appointment in the light of the judgement passed in Malaya Nanda Sethy vrs. State of Orissa and Others : 2022 LiveLaw (SC) 522.

Mr. Gautam Pathak Banerjee, learned advocate appearing on behalf of the State respondents submits since the father of the applicant expired in 1995 and the application for compassionate appointment was made on 12th July, 2012, no order may be passed.

Having heard the learned advocates for the parties, considering the facts and circumstances of the case, the application is disposed of by directing the Inspector

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Vs.
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SCN.

General of Correctional Services, Government of West Bengal, the respondent no.2(c) to give a reply to the representations dated 12th July, 2022, 3rd September, 2018, 5th July, 2019 and 10th September, 2019 within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after considering the judgement passed in Malaya Nanda Sethy (supra).

(SOUMITRA PAL)
CHAIRMAN

WEST BENGAL ADMINISTRATIVE TRIBUNAL