

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 374 OF 2022

**DEBJYOTI SIL & ANOTHER**

**- VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and  
Date of order

03  
17.08.2022

For the Applicants : Ms.Priyakshi Banerjee  
Advocate

For the State Respondents : Mr. Soumendra Narayan Ray  
Advocate

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 4<sup>th</sup> August, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

At the very outset, Ms.P.Banerjee, learned advocate for the applicant prays for leave to correct the cause title of the application, so far it relates to respondent no. 2 (1). Leave granted.

In the application, Mr.Debjyoti Sil and Amalika Sil, the applicants, have prayed for certain reliefs, the relevant portion of which is as under:

*“ a) To direct the authorities to give appointment to the applicant no.1 on compassionate ground in place of his deceased father for the post of Sub officer in the Department of Fire and Emergency Services and/ or Clark ship post under the Government of West Bengal forthwith.*

*b) .....*

*c) To direct the authorities and/ or the concerned respondent authorities to consider the application for the*

**ORDER SHEET**

Form No.

**DEBJYOTI SIL & ANOTHER**

Vs.

Case No. : **OA 374 OF 2022**

**THE STATE OF WEST BENGAL & ORS.**

*applicant no. 1 submitted in the prescribed format before the Labour Department on 4<sup>th</sup> April 2022 and/ or the several representation of the applicant no.1 as well as mother of the applicant since deceased.....”*

It appears that the father of the applicants was employed as Sub-Officer under Dhuguri Fire Service Station, who while travelling in the departmental vehicle met with an accident and succumbed to the injuries on 12<sup>th</sup> May, 2004 leaving behind his wife, one daughter and one son. It appears that the mother of the applicant by letter dated 23<sup>rd</sup> August, 2005 filed an application for employment of his daughter on compassionate ground. Later she changed her mind and placed the proposal for employment of her son who was a minor then. Accordingly, the mother of the applicant on 27<sup>th</sup> December, 2011 made an application before the respondents to consider the employment of her minor son when he attains majority. Subsequently, the applicant filled up a form for compassionate appointment on 4<sup>th</sup> April, 2022. It is submitted on behalf of the applicant since the said application for compassionate appointment is pending, appropriate order may be passed directing the respondents to consider the said application for compassionate appointment.

Mr.S.N.Ray, learned advocate appearing on behalf of the State respondents submits, if directed, the respondent authorities will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case and as prayed for, the application is disposed of by directing the Secretary, Department of Fire and Emergency Services, Kolkata, the respondent no. 1 to dispose of the application regarding

**ORDER SHEET**

Form No.

**DEBJYOTI SIL & ANOTHER**

**Vs.**

Case No. : **OA 374 OF 2022**

**THE STATE OF WEST BENGAL & ORS.**

compassionate appointment of Debjyoti Sil, which was submitted on 4<sup>th</sup> April, 2022, by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after giving an opportunity of hearing to the applicants, after verifying the records and after making necessary inquiry,

(SOUMITRA PAL)  
CHAIRMAN

BLR