

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. –OA-378 of 2022

Biren Ram. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Ms. K. Kulsum, Advocate.
<u>03</u> 18.08.2022.	For the State Respondents	: Mr. S. K. Mondal, 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 4th August, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In the application, Biren Ram – the applicant has prayed for certain reliefs, the relevant portion of which is as under :-

“A mandatory order directing the respondent to give appointment of the applicant under compassionate ground in the Burdwan Medical College and Hospital.”

It appears that the father of the applicant was appointed as Sweeper in the Burdwan Medical College and Hospital at Purba Burdwan and he expired on 4th May, 2014 while in service. It is evident from the application that the mother of the applicant on 24th August, 2011 filed an application for compassionate appointment of his son, that is, the applicant.

It is submitted by Ms. K. Kulsum, learned advocate for the applicant that it is evident from the letter dated 30th September, 2014 being annexure A to the application that the application for compassionate appointment could not be considered by the authorities of the Burdwan Medical College and Hospital as he was then below 18 years of age. Submission is as the applicant, as evident from page 19 of the application had filed a fresh representation for compassionate

ORDER SHEET

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appointment it may be directed to be considered.

Mr. S. K. Mondal, learned advocate for the State respondents submits that it is evident from the original application that the applicant is yet to file an application for compassionate appointment in the prescribed proforma.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file an application for compassionate appointment in accordance with the rules before the Secretary, Department of Health and Family Welfare, Government of West Bengal – the respondent no.1 within four weeks from the date of obtaining a copy of this order downloaded from the website of the Tribunal. If such application is filed, same shall be disposed of by the Secretary, Department of Health and Family Welfare, Government of West Bengal – the respondent no.1 by passing a reasoned order to be communicated to the parties within 15 weeks after giving an opportunity of hearing and after verifying the records.

(SOUMITRA PAL)
CHAIRMAN

S.M.