

**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 380 OF 2024**

**ARPITA JANA (GHOROI) - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

03  
15.05.2025

For the Applicant	:	Mrs. Sonali Mitra Advocate
For the State Respondents	:	Mr. Goutam Pathak Banerjee 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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

By filing this application, the applicant had prayed for setting the impugned Memo. dated 19.02.2024. The Memo. being assailed was a communication from the Public Works Department to the Superintending Engineer, Electrical Planning and Monitoring Circle intimating that the proposal of the applicant for an employment under compassionate ground was regretted. The primary ground shown in the impugned order is that the applicant filed her proforma application beyond two years from the date of death of the employee. The deceased employee, Kamallesh Ghoro, who was working as Junior Engineer under the Public Works Department died on 24.04.2020. Attention has been drawn to copies of email, Arpita Jana (Ghoro) as widow wrote to the Executive Engineer (E), Planning Division, Kolkata. In the email she had intimated that her husband is deceased and prayed for death-cum-retirement benefits including an employment under compassionate ground. Later, she submitted the proforma application on 14.09.2023. The fact of her submission of the proforma application on 14.09.2023 has been admitted by the respondent authorities in the

impugned Memo. referred above. A copy of the Executive Engineer's correspondence dated 21.06.2023 to the Joint Secretary (Personnel) shows that such a proposal was submitted. In terms of the relevant Notifications relating to employment under compassionate ground, the legal heirs and the applicant is required to submit a proforma application within two years from the date of death of the employee. In this case, the death of her husband was on 24.04.2020 and she was required to submit the proforma application within 23.04.2022. It is also observed that the respondent authorities in their reasoned order did not acknowledge the fact that she had sent the email to the Executive Engineer on 16.07.2020 within three months from the date of death of her husband. Mrs.S.Mitra, learned counsel admitting the delay in submission of the proforma application, however, has argued that such delay occurred due to the restrictions during the COVID-19 pandemic situation. She also mentions that as per Hon'ble Supreme Court directions considering the difficulties of the litigants during the COVID-19 pandemic situation, had relaxed the limitation period from 15.03.2020 to 18.02.2022. Considering such difficulty during the COVID period, the applicant was not in a position to personally go and furnish the proforma application before the office of the respondent authorities.

Mr.G.P.Banerjee, learned counsel has been advised to consult the respondent authorities and respond to Mrs.Mitra's submissions on the next date.

Let the matter appear under the heading "For Orders" on 20<sup>th</sup> August, 2025.

BLR

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