

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-380 of 2020

Debasish Pal and Another. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicants	: Mr. H. Ghosh, Advocate.
<u>07</u> 04.07.2022.	For the State Respondents	: Mrs. S. Agarwal, Advocate.

Let affidavit of service filed today be kept on record.

In this application, the applicant's father – Sri Sudhir Chandra Pal worked as Group-'D' staff at Gobindanagar Government Abasan, Department of Health and Family Welfare and died on 06.12.2005. One of the legal heirs, Debasish Pal – son of the deceased employee had applied for compassionate employment on 16.01.2016 to the appropriate authority which was duly received by the respondent's office. Similar application was made last on 13.03.2020. The application was duly considered and rejected on 20.04.2010 by the respondents with the following reason :-

“The undersigned likes to inform his that the prayer from Sri Debasish Pal has carefully been examined and it has been observed that the family of the ex-employee received death benefits (excluding G.P.F.) amounts to Rs. 2.89 lakhs (Approx.) and is receiving family pension amounting to Rs. 4,800/- (Approx.).

So, in view of the above facts the case was not considered to be in need of immediate financial assistance in the form of employment, and has been rejected by the competent authority”.

Mrs. S. Agarwal, learned advocate for the State respondents submits that since the applicant and his family were recipients of the

deceased employee's death benefits excluding G.P.F. amounts to Rs. 2.89 Lakhs (Approx.) and also receiving family pension amounting to Ms. R. Sarkar, . 4,800/- (Approx.). Therefore, the family is not immediate financial assistance in the form of employment. Mrs. Agarwal also submits the application is not maintainable due to limitation as the applicant has approached the Tribunal after a gap of ten years. Mrs. Agarwal brings to notice that a letter was issued directing the applicant to submit some documents because the respondent is reconsidering his application for compassionate employment.

Mr. H. Ghosh, learned advocate for the applicants submits that these documents will be submitted very soon.

In view of the above submission of Mrs. Agarwal that respondents are reconsidering the earlier decision for a compassionate employment to the applicant further adjudication does not seem required in the Tribunal.

The case is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.