

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,**      **HON'BLE CHAIRMAN.**

Case No. – OA 381 of 2022.

ABHIJIT DAS & ANR-Versus- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. A. Sinha, Advocate.
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<u>3</u> 17.8.2022	For the State Respondents	: Mr. M.N. Roy, 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.

In the application Abhijit Das, son of late Ajit Kumar Das and Manju Das, wife of late Ajit Kumar Das, the applicant nos. 1 and 2 have prayed for certain reliefs, the relevant portion of which is as under :-

*“...b) Appropriate order be passed directing the concerned respondent to issue appointment in favour of the applicant no. 1 under compassionate ground forthwith.*

*c) Appropriate order be passed directing the concerned respondents to consider the prayer and/or the said representations ('A5' & 'A-8') of the applicants in respect of compassionate appointment in favour of applicant no.1.....”.*

It appears that Ajit Kumar Das, an ex-khalasi in the office of the Executive Engineer, Damodar Head Works Division, had expired on 4<sup>th</sup> September, 2006 while in service. It appears from the statements made in the application that Manju Das, wife of late Ajit Kumar Das applied for compassionate appointment, which was turned down as evident from the memo dated 7<sup>th</sup> December, 2021 on the ground that she was unsuitable for being appointed in the post of Group D owing to shortfall of having minimum qualifying educational qualification for the post. Thereafter, on 18<sup>th</sup> April, 2022 Abhijit Das, the applicant no. 1 made an application for compassionate

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appointment in the died in harness category in Group D post.

It is submitted by Mr. A.Sinha, learned advocate for the applicant that direction may be issued upon the State respondents to consider the said application.

Mr. M.N. Roy, learned advocate appearing on behalf of the State respondents submits, if directed, the State respondents 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, the application is disposed of by directing the Superintending Engineer, Damodar Irrigation Circle, Burdwan , - the respondent no. 4, to dispose of the application dated 18<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 enquiry.

(SOUMITRA PAL)  
CHAIRMAN.

Sk.

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