

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. – OA 421 of 2020

Somnath Paul - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. I. Pal, Mrs. S. Pal, Advocates.
<u>04</u> 03.03.2021	For the State Respondent	: Mr. S.N. Ray, Advocate

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under Sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

In this application, Somnath Paul, the applicant has prayed for several reliefs, the relevant portion of which is as under :

“ a) An order to Set Aside the impugned Order dated 13/01/2020 passed by the Secretary (Coordination) to the Government of West Bengal in connection with Application of the Applicant for Compassionate Appointment ;

b) An order directing the respondents to Consider afresh the Application / Candidature of the Applicant for Compassionate Appointment in accordance with law as earliest;”

It is submitted by Mr. I. Pal, learned advocate for the applicant that since the Secretary (Coordination) to the Government of West Bengal by intimation dated 13th January, 2020 appearing at page 19 of the application, has illegally turned down the application of the applicant for appointment to the post of Constable on compassionate ground without considering the notification dated 1st March, 2016, particularly the “Revised Provision” relating to “Belated Request” and as it is evident

Form No.

Case No. **OA- 421 of 2020**

Vs.

The State of W.B. & Others

from the supplementary affidavit that the applicant had passed and found to be fit for the post of Constable in the West Bengal Police and as the matter is pending before the appropriate authority for “Necessary approval order of appointment”, as evident from page 10 of the supplementary affidavit, appropriate order may be passed.

Mr. S.N. Ray, learned advocate for the State respondents submits that if directed, the respondent authorities will take steps in accordance with law.

Having heard learned advocates for the parties and considering facts and circumstances of the case, since it is evident from page 10 of the supplementary affidavit that the proposal for employment of the applicant in the post of Constable under Exempted category in West Bengal Police is pending for “Necessary approval order for appointment”, the application is disposed of by directing the Secretary, Government of West Bengal, Department of Home and Hill Affairs, Howrah, the respondent no. 1, to pass appropriate order regarding appointment after verifying the records and the “Revised Provision” related to “Belated Request,” within 15 weeks from the date of presentation of a copy of this order downloaded from the internet / website. I however make it clear that I have not gone into the merits of the application and all the points are kept open to be dealt with by the respondent no. 1.

Rajib

(SOUMITRA PAL)
CHAIRMAN

ORDER SHEET

SOMNATH PAUL

Form No.

Case No. **OA- 421 of 2020**

Vs.

The State of W.B. & Others

WEST BENGAL ADMINISTRATIVE TRIBUNAL

ORDER SHEET

SOMNATH PAUL

Form No.

Case No. **OA- 421 of 2020**

Vs.

The State of W.B. & Others

WEST BENGAL ADMINISTRATIVE TRIBUNAL

ORDER SHEET

SOMNATH PAUL

Form No.

Case No. **OA- 421 of 2020**

Vs.

The State of W.B. & Others

Rajib

WEST BENGAL ADMINISTRATIVE TRIBUNAL