

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 422 of 2020

BASHAN BAURI - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and Date of order	For the Applicant	: Mr. Gourav Halder Advocate
	For the State respondents	: Mr.Subit Kumar Mondal Advocate

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08.05.2023

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 23rd 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. .

On the previous date - 20.12.2022 "Mr.Haldar had prayed for accommodation to submit a supplementary affidavit challenging the points mentioned in the reasoned order of the respondent.

However, no such supplementary affidavit has been filed today and the points raised by Mr.Mondal have not been controverted for rejection of the prayer.

The two grounds of rejection in the impugned order were:-

- 1. A belated application was made after 12 years from the death of the deceased employee. The respondent wonders if for 12 years the family could subsist financially (then quoting Notification 251-Emp.) the family is not in need of a compassionate employment to subsist itself.*
- 2. The respondent has also pointed out that the deceased employee, Aswini Bauri was not under regular establishment, therefore, not eligible for compassionate employment to his legal heir as per Rules.*

ORDER SHEET

Form No.

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Vs.
THE STATE OF WEST BENGAL & OTHERS.

After hearing the submissions of the learned counsels, the Tribunal is of the view that the respondent authority relying on the two grounds has issued the reasoned order which is in conformity with the rules governing the compassionate employment scheme.

Accordingly, the application is disposed of without any orders.

BLR

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