

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. – OA 438 of 2020

Subhajit Mondal -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Ms. S. Agarwal, Learned Advocate.
<u>03</u> 26.03.2021	For the State Respondent	: Mr. G.P. Banerjee, Mr. S. Ghosh, Learned Advocates.
	For P.S.C., W.B	: Mr. S. Bhattacharjee, Learned 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.

Affidavit of service is filed by the applicant be kept on record.

Defect has been removed on 08.02.2021.

The instant application has been filed for the second time praying for a direction upon the respondents to take final decision with regard to the compassionate appointment of the applicant. As per the applicant, he had earlier approached in OA 290 of 2017, wherein this Tribunal by order dated 25.10.2017 had directed to take final decision with regard to the compassionate appointment of the applicant. Subsequently, the applicant filed one CCP 68 of 2018, which was disposed of on 28.02.2019 on the basis of the submission made by the respondents that they had already take decision up to his part and has already been recommended for final approval of the competent authority of letter dated 06.02.2018 and subsequently Assistant Secretary to the Government West Bengal has sent to the MIC for his final approval. However, according to the applicant till date no decision has been communicated to the applicant.

The counsel for the state respondents however has submitted that till date no decision has been communicated from the MIC. The counsel for

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the respondents further submits that they have already communicated the latest status to the applicant on 18.02.2021. However, the counsel for the applicant is vehemently objected to such contention and has submitting that his client has not received the said communication till date.

During the course of the hearing, the counsel for the applicant has further submitted that it would suffice his purpose if the Additional Chief Secretary, Department of Panchayat and Rural Development would be directed to take appropriate steps to communicate the final decision with regard to the compassionate appointment of the applicant within a stipulated period of time.

In view of the above, the Additional Chief Secretary, Department of Panchayat and Rural Development is directed to take appropriate steps to communicate the final decision with regard to the compassionate appointment of the applicant within a period of 10 (ten) weeks from the date of receipt of the order.

Accordingly, the **OA is disposed of** with no order as to cost.

Parties are directed to act upon the Website copy of the order.

Mrs. URMITA DATTA (SEN)
MEMBER (J)

HS