

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 445 of 2023.

DEBASISH PAL AND ANOTHER - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

03
01.04.2024

For the Applicants : Mr. H. Ghosh,
Mr. A. Sinha,
Learned Advocates.

For the State Respondents : Mr. R.K. Mondal,
Learned Advocate.

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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

The application for compassionate employment was rejected by the respondent authority on the ground that such an application was not presented before them within the stipulated period as envisaged in the Notification. It appears from the submissions and the records that the mother of the applicant had submitted a plain paper application on 16.01.2006 after the death of her husband on 06.12.2005. Later, on 17.03.2008, the respondent authorities appears to have received a copy of the proforma application filed by the applicant. There was a delay of three months and eleven days in submitting considering the date of death of the deceased employee being 06.12.2005. On the other hand, the plain paper application submitted by the mother of the applicant appears to have been received by the respondent on 16.01.2006 which was after one month and ten days from the date of death of the deceased employee.

Mr. Ghosh, learned counsel prays for accommodation to file relevant

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-Vs-

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copies of judgements of Hon'ble Apex Court on the next day. Let the matter appear under the heading "For Orders" on 29th August, 2024.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Sk.

WEST BENGAL ADMINISTRATIVE TRIBUNAL