

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 446 of 2024

Amrita Kundu -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Sangita Chakraborty,
Ld. Advocate.

For the State Respondents : Mr. G. Halder,
Ld. Advocate.

02
25.03.2025

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.

By filing this application, the applicant has prayed for setting aside the impugned memo. no. 6981 dated 09.12.2022.

At the very outset, Ms. Chakraborty, learned counsel prays for liberty to correct the date of impugned order being shown under 8(a) of the relief sought for section.

Allowed.

Let such correction be made here and now and corrected copy be served upon the other side.

The Additional Director (Personnel) and Special Secretary, Directorate of Health Services communicated to the Chief Medical Officer of Health, Murshidabad that the prayer of Amrita Kundu seeking employment on compassionate ground is rejected. Although, this impugned order is not elaborate but the Tribunal is of the view that a prayer for employment on compassionate ground was rejected on the ground that there was no sufficient reason to demonstrate that the family was suffering serious financial situation. It also relies on another reason that father of the applicant and ex-employee enjoys his pension. From the very short-in-words of this document, the Tribunal understands that the financial criteria requiring the gross monthly income of the family to be less than 90% of the cross monthly salary of the deceased employee was the primary reason. Such rejection on the ground of financial reason without mentioning any figures is not a worthy reasoned order to reject a proposal. In the view of the

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Tribunal, a proposal for employment on compassionate ground cannot be negated without giving sufficient reasons based on facts and figures.

However, Mr. Halder, learned counsel after hearing the views of the Tribunal prays for liberty to file a report showing the details of family income vis-a-vis the gross monthly salary last earned by the deceased employee. Let such a report with the figures be filed before this Tribunal and copy be served and if copy served and if so wished, liberty is given to the applicant to file exception to the report.

The matter is admitted.

Let the matter appear under the heading **“Hearing”** on **02.07.2025.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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