

ORDER SHEET

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 469 of 2024

Shib Shankar Sarkar. -- **VERSUS** – The State of West Bengal & Others

Serial No. and Date of order	For the Applicant	: Ms. S. Hasin, Ld. Advocate.
<u>02</u> 24.02.2025	For the State Respondents	: Mr. G. Halder, Ld. 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.

Affidavit of service filed today be kept on record.

The applicant has filed this application praying for setting aside the impugned Memo. 155 dated 01.06.2023 passed by the Joint Secretary, Public Works Department. By this impugned Memo. the Superintending Engineer, Central Highway Circle, Public Works (Roads) Department was informed that the prayer of the applicant for an appointment under compassionate ground could not be accepted on the ground that he was a minor at the time of death of his father. His father, the deceased employee had died on 03.06.2009. The date of birth of the applicant being 14.04.1993, he was a minor of 17 years and 07 months at the time of death of his father. Though being a minor, the applicant had furnished a plain paper application on 31.07.2009 before the respondent authorities praying for such an employment. The respondent authority in its Memo. 342 dated 13.04.2015 had considered his prayer but had rejected the same without citing any grounds. Aggrieved by such rejection without grounds, the applicant persistently furnished representations before the respondent authority which finally reconsidered the matter and passed the order regretting such an employment on the ground that the applicant was a minor at the time of death of his father.

The matter is admitted.

Let the matter appear under the heading "Hearing" on 17.06.2025.

Reply and Rejoinder, if any, in the meantime.

S.M.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)