

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble SAYEED AHMED BABA, Member (A)**

**Case No. – OA-474 of 2021**

**Souvik Das VERSUS – The State of West Bengal & Ors..**

Serial No. and Date of order For the Applicant : Mrs. H.A. Begum,  
Learned Advocate.

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17.11.2022 For the State Respondents : Mr. B.P. Roy,  
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26<sup>th</sup> August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

In this application the applicant prays for setting aside the impugned order of the respondent appearing at page 31 which is a rejection of an application for compassionate employment. It appears that the application for compassionate employment was rejected on the grounds that the applicant was a minor at the time of death of his father, the deceased employee. Moreover, the application of the applicant was considered as a belated application since it was filed after three years and ten months. The impugned order also mentions that although at the time of death of the employee, the widow of the deceased employee was eligible but she did not apply for herself.

Mrs. Begum, counsel for the applicant submits that the rejection of the application was arbitrary and not based on facts. She refers to the plain paper application appearing at page

14 which shows that the widow had applied for herself within the stipulated timeline, although, later due to illness, she withdrew the application and recommended compassionate employment for her son, the present applicant.

Mr. Roy appearing for the state respondent prays for adjournment so that he will submit reply of the respondent.

The matter is admitted.

Let the matter will be listed for Hearing on **06.03.2023**.

Reply/rejoinder, if any, in the meantime.

SAYEED AHMED BABA  
MEMBER (A)

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