

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

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

**Case No. – OA-48 of 2022**

**Sourav Dey. VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. G.F. Hossain,  
Ms. Priyanka Mondal,  
Learned Advocates.

03  
25.04.2022

For the State Respondent : Mr. G.P. Banerjee,  
Learned Advocate.

Heard learned advocate for the parties. Sourav Dey, the applicant was a minor child at the time of death of Rama Khatua who was a Peon at the office of Additional District Sub-Registrar, Paschim Medinipur. On 28.10.2012, at the time of her death, Sourav Dey who was the adopted child of Rama Khatua, after he attained majority i.e. after a gap of 7 (seven) years applied for compassionate appointment which was considered and rejected by the respondent authority on the ground that such application was filed after expiry of the stipulated period as mentioned in the notification 26-Emp dated 01.03.2016 of Labour Department.

Learned advocate for the state submits that the application cannot be considered because of the delay in applying for the compassionate appointment.

It is also observed that the applicant was adopted by Rama Khatua through a deed signed by the parties on a Non Judicial stamp attested by an advocate and submitted to the District Sub-Register. It is doubtful if the proper procedures were followed under the relevant Act. The deed of adoption was executed on 26.09.2011. A year later Rama Khatua died on 28.10.2012.

After considering all the aspects of this case, I am satisfied that an application for compassionate employment cannot be made after a gap of seven years.

Having heard both the parties, the application is dismissed.

SAYEED AHMED BABA  
MEMBER (A)

sc