

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,
Case No. – OA 485 OF 2023**

SAGAR HARI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
18.08.2023

For the Applicant : Mr.Allen Felix
Advocate
For the State respondents : Mr.Goutam Pathak Banerjee
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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the impugned order of the respondent dated 27.02.2023. This impugned order passed by the Superintendent of Police, Purba Badhaman, regretting the application for compassionate employment on the ground that the monthly income of the family is more than the qualifying amount.

Mr.A.Felix, learned counsel for the applicant submits that the respondent has not considered the fact that the applicant had submitted his first application in the year 2011. Further, this rejection on the financial ground is not based and supported by any calculation, simply rejecting by stating that the family is not in need of financial assistance, is void in law. If the sole criteria of financial capacity was the reason, then the respondent should have shown some financial details.

Heard the learned counsels. The matter is admitted.

Let reply be filed by the respondent showing the details about the family

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income which is assumed to have crossed more than 90 per cent of the gross salary last drawn by the deceased employee.

Let the matter appear under the heading 'Hearing' on 12th December, 2023.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR