

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

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

**Case No. – OA-490 of 2020**

Serial No. and Date of order	Abunime Hossain	VERSUS – The State of West Bengal & Ors.
	For the Applicant	: Mr. A. Shaw, Learned Advocate.
<u>04</u> 18.04.2022	For the State Respondent	: Mr. D. Kole, Mr. S. Ghosh, Learned Advocates.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

On consent of both the parties, matter has been taken up for hearing.

It appears from the record that the father of the applicant was a constable of W.B.P. and died while in service on 08.07.2003. At the time of death of the applicant's father, the applicant was only four years of old. After attaining 18 years of age in the year 2017, the applicant submitted an application to Director General of Police on 07.07.2017 praying for compassionate employment after a gap of more than 14 years.

The respondent authority duly considered the application of the applicant and rejected the same with the following observations :-

*“is hereby informed that the candidate's age was only 04 (four) years 07 (seven) months and 28 (twenty eight) days at the time of death of the deceased employee so the proposal does not fulfil the required conditions as laid down in the notification no. 251-Emp dated 03.12.2013 read with notification no. 261-Emp dated 01.03.2016 of Labour Department, Govt. of West Bengal for being eligible to be considered for appointment under exempted category”.*

**ORDER SHEET**

Form No.

Abunime Hossain

---

Case No. **OA-490 of 2020**

**Vs.**  
The State of West Bengal & Ors

The relevant Rule cited limits the time for an applicant to be eligible for recruitment to only six months. In this case, it took 15 years for the applicant to become eligible for recruitment.

Considering the relevance of the above Rule and taking into consideration facts and circumstances of the case, the Tribunal does not find any merit or ground for setting aside the order issued by the respondents rejecting the application for compassionate appointment. Accordingly, the OA is disposed of with no order as to costs.

SAYEED AHMED BABA  
MEMBER (A)

sc