

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA 497 of 2022

Ankita Saha. - Versus – The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. B. Nandy, Advocate.
<u>03</u> 15.09.2022.	For the State Respondents	: Mr. S. Ghosh, Mrs. S. Das, Advocates.

In this application, the prayer is for setting aside the reasoned order passed by the Assistant Secretary, Water Resources Investigation & Development Department regarding her claim for compassionate employment. As submitted by the learned advocate, her application for compassionate employment was rejected on the ground that she is a married daughter, as such not eligible for compassionate employment under existing rules. It also appears that the mother of the applicant, widow of the deceased employee had also applied but was rejected on the ground that she was over-aged. Now the learned advocate submits that in the meantime the applicant who was a married daughter has been divorced as per the decree passed by learned District Judge, Malda on 14.02.2021.

Mr. B. Nandy, learned advocate for the applicant submits that as per judgement of the Hon'ble Apex Court, she is entitled to apply and be considered for employment under died-in-harness scheme. It is submitted that the applicant would submit a fresh application for compassionate employment to the concerned respondent which the Court may direct the respondent for consideration at the earliest.

Mr. S. Ghosh, learned advocate for the State respondents has no objection if such a representation is submitted afresh before the respondents.

After hearing both the learned advocates and considering the facts and circumstances of the case, the matter is disposed of by

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directing the respondent no. 5 – the Superintending Engineer (A.M.), Siliguri (A.M.) Circle, Darjeeling, Government of West Bengal to consider such a new representation, if submitted by the applicant and dispose of the same as per law within a period of twelve weeks from the date of receiving such representation from the applicant.

Accordingly, the matter is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.