

**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-504 of 2020**

**Abul Quise and Another. - Versus - The State of West Bengal & Others.**

Serial No. and Date of order	For the Applicants	: Ms. A. Halder, Advocate.
<u>06</u> 13.06.2022.	For the State Respondents	: Mr. S. Ghosh, Advocate.

In the instant application, Salma Bibi had applied for compassionate employment for her son on the ground that she is medically unfit to carry out further any duty. On 12.03.2016 she applied for declaring her medically unfit and appointing her son in her place. Thereafter, based on her application, she was directed to appear for medical examination on 29.08.2018. A medical test was conducted and the report published. In a letter written by the Addl. Director (Personnel), Directorate of Health Services and Ex-officio Special Secretary, Department of Health and Family Welfare, Government of West Bengal addressed to the Medical Superintendent –cum-Vice Principal, R. G. Kar College and Hospital, Kolkata, about the medical report in respect Salma Bibi. As directed, the employee's son applied in a proforma for compassionate employment on 24.06.2019. In the meantime, on 31.12.2018 the employee Salma Bibi superannuated after attaining the age of 60 years. The same Addl. Director of Health Services (Personnel), West Bengal informed the Medical Superintendent cum Vice Principal, R. G. Kar College and Hospital, Kolkata on 29.09.2020 that proposal for giving employment on compassionate ground to the son of Salma Bibi has been declined due to fact that the employee herself retired from service on 31.12.2018. Aggrieved by the rejection by the State, the applicant applied to the Tribunal on 21.12.2020 for seeking certain reliefs, the relevant portion which is as under :-

*“..... to cancel, withdraw and rescind from the Order under Memo NO. HPA/G-34-2016/A dated 29.09.2020 issued by the respondent No. 3, the Additional Director of Health Services (Personnel), West Bengal, .....”*

Learned advocate for the applicant submits that she will file a suitable representation before the respondents requesting for review of the rejection order.

Learned advocate for the State submits that if such an application is filed, the same will be considered by the respondents. Respondent No. 2 is, therefore, directed that to consider such an application to be filed by the applicant within a period of four weeks from the date of presentation of a copy of the this order downloaded from the website of the Tribunal and considered the application on merit and disposed of.

I make it clear that I have not gone into the merits of the matter and all facts are left open to be dealt with by the respondent according to law.

The application is disposed of.

(SAYEED AHMED BABA)  
MEMBER(A)

S.M.