

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. – OA 504 of 2021**

**Juli Dey - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and  
Date of order

For the Applicant : Mr. M.N. Roy,  
Advocate.

02  
27.08.2021

For the State respondents : Mr. G.P. Banerjee,  
Mr. S. Ghosh,  
Advocates.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 and 456-WBAT/2J-15/2016 dated 16<sup>th</sup> July, 2021 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Affidavit of service filed be kept on record.

Let memo dated 10<sup>th</sup> August, 2021 and the letter dated 26<sup>th</sup> August, 2021 filed by the applicant in the registry be kept on record.

In this application, Juli Dey, wife of Late Sandeep Kumar De, has prayed for certain reliefs, the relevant portion of which is as under :

*“(a) An order do issue directing the concerned respondent authorities to issue appointment letter in favour of the applicant on compassionate ground commensurate to her educational qualification in any suitable post within a stipulated time period as well as to disburse Rs.10 Lakhs (Rupees Ten Lakhs) to your applicant as per Notification No. 2413-F(P2) dated 12.08.2020 issued by Finance (Audit) Department, Government of West Bengal.*

*(b) A further order to issue directing the concerned respondent authorities to forthwith give appointment to the applicant on*

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*compassionate ground in the any suitable vacancy (Regular) post under the establishment within a stipulated time period.*

*(c) An order do issue directing the respondent authorities to disburse 10 Lakhs to your applicant in terms of Notification No. 2413-F (P2) dated 12.08.2020 issued by Finance (Audit) Department, Government of West Bengal.”*

Admittedly, Sandeep Kumar De, a Dental Surgeon in Sonamukhi Rural Hospital, Bankura had expired on 27<sup>th</sup> September, 2020 due to Covid-19, 2020 which is evident from the death certificate, appearing at page 17 of the application issued by the Health Officer, Durgapur Municipal Corporation. The grievance is though the husband of the applicant had expired due to Covid-19 and is entitled to be appointed on compassionate ground and the family is to be assisted by a grant of 10 lakhs rupees, as evident from the notification dated 12<sup>th</sup> August, 2020 and though the applicant has furnished an application, as evident from pages 26 to 51 of the application, however, till date no steps have been taken in appointing the applicant and in disbursing Rs.10 lakhs for the family in distress.

Mr. M.N. Roy, learned advocate for the applicant submits that after the application was filed on 26<sup>th</sup> July, 2021, the Chief Medical Officer of Health, Bishnupur, Bankura by memo dated 10<sup>th</sup> August, 2021 has again sought for submission of certain documents which has been submitted before the said authorities by letter on 26<sup>th</sup> August, 2021. Since formalities have been complied with, the applicant is not only entitled to be appointed but also entitled to disbursement of Rs.10 lakhs.

Mr. G.P. Banerjee, learned advocate, appearing on behalf of the

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State respondents submits since certain formalities are to be complied with with regard to the appointment of the applicant on compassionate ground as well as for disbursement of the sum of Rs.10 lakhs and as certain documents were not forthcoming, the matter has been delayed. However, if documents have been submitted, necessary steps will be taken for granting relief as per notification dated 12<sup>th</sup> August, 2020.

Since there is no dispute that Sandeep Kumar De, the husband of the applicant, had expired due to Covid-19, as evident from the documents annexed to the application and as it is submitted by Mr. Roy on instruction that the formalities for compassionate appointment and also for grant of Rs.10 lakhs for the assistance to the family have been complied with, considering the facts of the case, the application is disposed of by directing the Principal Secretary, Department of Health and Family Welfare, Government of West Bengal, respondent no. 2 to issue appointment letter to Juli Dey, wife of Sandeep Kumar De, within thirty days from the date of receipt of a copy of this order downloaded from the website of the Tribunal as stipulated in paragraph 6 of the scheme called “The West Bengal Special Compassionate Appointment (to the dependant of Covid Warrior who has died or has been permanently incapacitated due to Covid-19) Scheme, 2020”, as evident from the notification dated 12<sup>th</sup> August, 2020, being annexure C to the application. In the event it is found by the State respondents that some formalities are yet to be complied with, it shall be intimated to the applicant within seven days from the date of furnishing a copy of this order and the applicant on compliance of the same shall be entitled to employment and shall be appointed either in Group C or in Group D category against available vacancy depending on the educational qualification and eligibility of the applicant in accordance with the

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scheme. So far as the payment of Rs.10 lakhs is concerned, same shall also be disbursed by the said respondent no. 2 within thirty days from the date of presentation of a copy of this order in favour of the family of the deceased Sandeep Kumar De, which includes the applicant herein.

(SOUMITRA PAL)  
CHAIRMAN

Rajib