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. – <u>OA 54 OF 2025</u>

BABU DAS @ CHOTON DAS   - VERSUS -   **THE STATE OF WEST BENGAL & ORS.**

Serial No. and
Date of order

<u>03</u>
25.08.2025

For the Applicant	:	Mr. Sourav Bhattacharjee Advocate
For the State respondents	:	Mr.Debabrata Koley 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 applicant has prayed for setting aside the impugned order passed by the Joint Secretary, Public Works Department on 07.06.2023 rejecting the prayer for appointment under compassionate ground. The reasoned order mentions the following grounds for such rejection:

(i)   The proforma application dated 14.05.2013 was submitted by the applicant after more than two years from the date of death of the employee, Bharat Chandra Das, holding the post of Peon and the father of the applicant had died on 06.05.2002.

(ii)   The applicant's date of birth being 14.12.1982 has crossed the age of 40, therefore, not eligible for appointment in any Government post.

(iii)   The rule requires an applicant to be atleast Class –VIII pass. The applicant shows he is only Class-III pass.

Form No.

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       Mr.S.Bhattacharjee, learned counsel wishes to respond to all these three grounds of rejection.

      Part heard the submissions of the learned counsels.

      Let the matter appear under the heading "Further Hearing" on 17th December, 2025.

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

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