

ORDER SHEET
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. OA – 66 of 2025

Tapan Roy - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

04
12.08.2025

For the Applicant : Mrs. S. Mitra,
Learned Advocate.

For the State : Mr. A.K. Das Sinha,
Respondents Learned 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.

The Respondent authority, the Deputy Director of Sericulture, Berhampore, Murshidabad communicated to the applicant the decision of the government regretting his prayer for an employment under compassionate ground. In the letter No. 385 dated 03.07.2024, the applicant was communicated that due to belated submission of the proforma application, his prayer for employment under compassionate ground could not be accepted. The letter mentions that the employee, Late Dhananjoy Roy, father of the applicant had died on 01.01.2020, but the proforma application was submitted by the applicant on 04.11.2022, nearly two years and ten months after the death of the employee. In terms of relevant Notifications guiding the Scheme for Compassionate Employment, a maximum time limit for furnishing the proforma application is two years from the date of death of the employee.

Form No.

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THE STATE OF WEST BENGAL & OTHERS

Mrs. Mitra, learned counsel appearing on behalf of the applicant admitting this fact of delayed submissions, however argues that this it was during the COVID period, as such the applicant was not able to furnish the proforma application within the permissible two years time. Mrs. Mitra further points out that as per the direction of the Hon'ble Supreme Court, such delay have been condoned due to prevalence of COVID covering the period from **20.03.2020 to 28.02.2022**. Therefore, the respondent authority, ignoring the order of the Hon'ble Apex Court has rejected the applicant's application on very wrong grounds. Mrs. Mitra prays for liberty to file a representation before the respondent authorities bringing these facts of Hon'ble Supreme Court's order.

Let such representation be filed by the applicant's side before the Respondent No. 3, Commissioner of Textiles and Sericulture and copy be filed before this Tribunal.

The matter is admitted.

Let the matter appear under the heading

Hearing on 02.09.2025.

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