

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 678 of 2023

Sujata Ghosh -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

: Mr. S. Bhattachrjee,
Ld. Advocate.

For the State

: Ms. R. Sarkar,

Respondents No.1-5

Mr. S. Debray,
Mrs. A. Bhattacharya,
Ld. Depttl. Reps.

01
12.10.2023

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.

Affidavit of service filed be kept on record.

The applicant has prayed for setting aside the impugned order of the respondent rejecting her claim for employment under compassionate ground. Such a claim was preferred by the applicant after her husband, Bulu Ghosh took his retirement after being declared permanently incapacitated. However, the respondents reasoned that the employee had not fully exhausted all his leave before such retirement was taken. Therefore, such employment could not be offered to the applicant under Clause 6(b)(ii) of Notification No. 251-EMP dated 03.12.2013.

Heard the learned counsels, the matter is admitted.

Let the matter appear under the heading “**Hearing**” on **04.01.2024**.

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS