

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-681 of 2021

Puspa Rani Majhi @ Maji & Anr. **VERSUS – The State of West Bengal & Ors..**
Serial No. and For the Applicant : Mr. A.K. Das Sinha,
Date of order Learned Advocate.

05 For the State : Mrs. S. Mitra,
21.09.2022 Respondents Learned Advocate

Mr. Das Sinha submits that the impugned order rejecting his application is very cryptic and is not a speaking order. Mr. Das Sinha also submits a copy of the Tribunal's order dated 09.10.2015 in which the "definition" of "immediate need of assistance" has been described as a grey area which is required to be assessed within the scope of this order.

Mrs. Mitra submits that the rejection ground given by the respondent was passed on established rules. Since the application of the applicant was submitted after a lapse of 12 (twelve) years from the deceased employee's death, rule does not permit consideration of such application. Mrs. Mitra submits that it is also evident that 12 (twelve) years have been passed without any government support, hence, the need for immediate assistance to the family was not there.

Mrs. Mitra also submits that the applicant approached the Tribunal challenging the impugned order of 2015 after a lapse of 6 (six) years, hence due to limitation, the matter is also not maintainable on this ground.

After hearing both the sides and considering the facts and circumstances, the Court is of the opinion that the case

of the applicant is not based on merit and the respondent was within the rules for having considered and rejected the application mainly on two grounds as stated above.

Hence, the application is not maintainable and, therefore, it is dismissed.

Accordingly, the matter is disposed of.

SAYEED AHMED BABA
MEMBER (A)

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