

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 682 OF 2023

SMT. SUKLA DEBNATH DE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Manujendra Narayan Roy,
and Mr. Gaurav Haldar,
Date of Learned Advocates
order

For the State Respondents : Mr. Sankha Ghosh,
Learned Advocates

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04.08.2025

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.

In this application, the applicant, Smt. Sukla Debnath De, daughter of the deceased employee, Mahaprabhu Debnath, prayed for a direction to the respondent authorities to offer her an employment under compassionate ground in view of the order of the Tribunal dated 07.11.2017 passed in O.A. 574 of 2017, wherein the rejection order dated 17.07.2015, issued by the Joint Secretary, Irrigation & Waterways Department was set aside and direction was given to consider the matter in view of “*The State of West Bengal & Ors. vrs. Purnima Das & Ors.*” decided on 13.09.2017 in *F.M.A. 1277 of 2015*.

Having heard the submissions of the learned counsels, the Tribunal finds that the prayer of the applicant was rejected solely on the ground that at the time of death of the government employee, the applicant was married and in terms of the notifications of the Labour Department she did not fulfil the conditions. After the pronouncement of the above judgement by the Hon'ble Court and the order dated 07.11.2017 of the Tribunal, a married daughter is also eligible to get compassionate appointment.

In view of the above, the Tribunal disposes of this application with a direction to the respondent authority No.2, the Joint Secretary, Irrigation & Waterways Department to reconsider the matter in the light of the above judgement in *Purnima Das (supra)* by passing a reasoned and speaking order, if she is otherwise eligible, within three months from the date of communication of this order. The same shall be communicated to the applicant within two weeks thereafter.

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

SCN.