

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-686 of 2015

Mamoni Roy VERSUS – The State of West Bengal & Ors..

Serial No. and
Date of order

For the Applicant : None.

For the State Respondents : Mr. G.P. Banerjee,
Learned Advocate

31
21.09.2022

Mr. Banerjee submits that the prayer for compassionate employment where other legal heirs have expressly refused to give No Objection Certificate to the applicant, is not maintainable in the eyes of law. Mr. Banerjee points out to the fact that the scheme for compassionate employment clearly mention requirement of No Objection Certificate from other legal heirs. Without obtaining the No Objection Certificate from other family members, it is legally inadmissible on the part of the respondents to give compassionate employment to a particular family member. This will not only lead to disputes within the family but also invite complications. It is also submitted by Mr. Banerjee that other legal heirs who have refused to issue No Objection Certificate are not added parties in this instant application. Therefore, the matter is not maintainable.

After hearing the learned advocates and considering the facts and circumstances, it is the finding of this Court that the objection raised by the learned advocate for the state has merit and are legally tenable. The prayer of the applicant for direction to give compassionate employment without having No Objection Certificate from other legal heirs is not a prayer enforceable by

Mamoni Roy

Vs.

The State of West Bengal & Ors

law. Therefore, the case is not maintainable and is thus disposed of.

SAYEED AHMED BABA
MEMBER (A)

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