

**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-7 of 2018**

**Saradindu Mondal VERSUS – The State of West Bengal & Ors..**

Serial No. and  
Date of order

For the Applicant : Mr. P.S. Ghosh,  
Learned Advocate.

09  
15.03.2023

For the State  
Respondents : Mr. G.P. Banerjee,  
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 23<sup>rd</sup> 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.

The prayer in this application for setting aside the impugned order passed by the respondent on 21.11.2014 in which the application for compassionate employment was rejected on the ground of belated submission. The applicant's father died in harness as a cultivation attendant, Sericulture, Birbhum on 10.05.2003. Mr. Ghosh disagrees with the reason in the impugned order and states that the applicant had submitted an application within the time limit and a copy has been annexed in this application which appears to be a hand written plain paper application dated 21.07.2003. Thereafter, the Director, Seciculture forwarded his application to the Deptt. of M & SSE & T on 17.03.2008. A copy of which is at page 25.

Submission of learned counsel is that the respondent cannot reject his application on the ground of belated

application under 251-Emp dated 03.12.2013 since it is very evident that an application was made on time and the same was processed and forwarded to the department with recommendation on behalf of the applicant.

Heard the learned counsels, the matter is admitted.

Let the matter appear under the heading Reply/Rejoinder and Objection on **21.07.2023**.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

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