

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 713 of 2022

Prosenjit Mukherjee -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. M.A. Sardar, Mr. S. Haque, Ld. Advocates.
<u>08</u> 26.08.2025	For the State Respondents	: Mr. G.P. Banerjee, Ld. 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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The applicant's prayer for employer under compassionate ground was rejected primarily on the ground that as required under the rules, the retiring employee under permanent incapacitation was to exhaust all his leave. The reasoned order states that Prabir Kumar Mukherjee, the retired employee had not exhausted all his leave. The Tribunal has not been presented any documentary proof from the applicant's side that such leave was exhausted.

Mr. Sardar, learned counsel argues that the applicant had applied for details of such leave by way of filing an RTI. Since the RTI has not been responded presently, the applicant is not in a position to furnish these details. However, once such details are shared under the RTI Act, 2005, the same will be presented before the Tribunal.

Let the matter appear under the heading **"Hearing"** on **10.12.2025.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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