

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 732 of 2022.

TAMAL HALDER- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

06
16.04.2024

For the Applicant : MD. M. Zalaluddin,
Advocate.
For the State Respondents : Mr. G.P. Banerjee,
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.

On consent of the learned counsel for the contesting parties, the case is taken up for consideration sitting singly.

By filing this application, the applicant has prayed for setting aside the impugned order dated 20.9.2022 at page 29 of the original application by which the application for employment on compassionate ground was rejected on the ground that the applicant was a minor of only 12 years and 02 months at the time of death of the deceased employee. The applicant is the son of the deceased employee, Raimoni Soren, who had died in service working as a Nurse Grade-II in Arambag S.D. Hospital on 22.9.2012. By a representation dated 12.3.2013 Tarak Nath Halder, the father of the applicant had furnished a plain paper application praying for such an employment for his son, the applicant. In the same application, the father had stated that he is 43 years old and the applicant Tamal Halder was 13 years old. Such plain paper application was also followed by submission of proforma application. Neither any date has been mentioned in the copy of this proforma application nor any seal or signature of the office of the respondent is visible.

Having considered the application for such employment, the respondent authority passed the impugned order rejecting the application for such employment.

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THE STATE OF WEST BENGAL & ORS.

Having heard the submissions of the learned counsels and on examination of the records in this application, the Tribunal finds that it is not disputed by the applicant's side that the applicant was a minor at the time of death of his mother.

Learned counsel for the applicant's side prays for adjournment today. Let this be the last chance for the applicant's side for adjournment. Let the matter appear under the heading "For Orders" on 11th July, 2024.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Sk.