

ORDER SHEET

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 777 of 2023

Banani Mahato Pramanik -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Sudipa Biswas, Ld. Advocate.

For the State respondent : Mr. S.N. Ray, Ld. Advocate.

02
22.04.2024

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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The applicant has filed this application praying for employment under compassionate ground. As submitted by the learned counsel for the applicant, the applicant is the daughter of the deceased employee, Nayan Mahata a Forest Guard under Lalgah Range, Medinipur Division who died in service on 17.12.2020. At the time of her father's death, the applicant was 25 years old and had submitted her plain paper application before the respondent authority on 04.01.2021. In support of her claim being the legal heir and entitled for compassionate employment, learned counsel shows copies of nomination for Death Gratuity in which her name is recorded as daughter. The Legal Heir Certificate dated 16.12.2021 issued by the District Magistrate, Jhargram declaring the applicant as daughter is also in this application.

Mr. Ray, learned counsel for the State respondents submits that as an indication from the order of the Hon'ble High Court at Calcutta in WPA 19592 of 2023, it appears that the deceased employee had other legal heirs from another marriage. Therefore, it has to be properly ascertained if this applicant is the sole legal heir claiming for an employment under compassionate ground. Mr. Ray prays for accommodation to check the records relating to the family members of the deceased employee and if any other member had also applied for employment under compassionate ground.

The matter is admitted.

Let the matter appear under the heading "**Hearing**" on **15.07.2024**.

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS