

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 789 of 2023

Utpal Halder -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicant : Mrs. S. Agarwal,
Ld. Advocate.

For the State respondent : None.

01
15.01.2024

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 counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Leave is allowed to amend the cause title for respondent no. 1.

The applicant has prayed for a direction to the respondent authorities to give him an appointment under compassionate ground. The applicant's father, Nani Gopal Halder working as Resham Karmee under the Department of Cottage and Small Scale Industries died on 30.09.2006. After the death of his father, the applicant submitted a plain paper application before the respondent authorities on 26.02.2007. The copy of this plain paper application, however, does not show any official receipt. The proforma application appears to have been received by an official on 30.03.2007. Based on the application, an enquiry was held on 18.08.2009 in which the applicant was asked to remain present with all relevant documents. Later the Enquiry Committee completed its task and submitted its report recommending the appointment of the applicant on compassionate ground. Despite such recommendation by the Enquiry Committee, the respondent did not act which compelled the applicant to file an application before this Tribunal. The Tribunal in its order in OA 514 of 2019 directed the respondent authority to pass a reasoned order.

Submission of Mrs. Agarwal is that despite such direction till date, no reasoned order has been passed. Attention is drawn to page 60 in which it appears the respondent, Joint Director of Sericulture, Lake Town forwarded the set of documents to the Commissioner of Textiles and Sericulture on 21.02.2023 requesting for suitable action.

ORDER SHEET

Utpal Haldar

Form No.

Case No. **OA 789 of 2023.**

Vs.

The State of West Bengal & Ors.

The matter is admitted.

Let the matter appear under the heading "**Hearing**" on **18.06.2024.**

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

HS/SS