

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,

Case No. – OA 80 of 2023

SOMNATH HALDER - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

For the Applicant : Mrs.Sonali Mitra
Advocate

03

19.05.2023

For the State Respondents : Ms. Ruma Sarkar
Mrs.A.Bhattacharjee
(Departmental Representatives)

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 and the Departmental Representatives for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed today be kept on record.

The father of the applicant, Bijoy Krishna Halder died in harness on 31.12.2013 as a Revenue Inspector under Block Land and Land Reforms Officer, Binpur-II, Jhargram. As per the applicant, the mother of the applicant, Uttara Halder submitted the pro-forma application on 24.07.2014 for compassionate employment. Later it appears that she withdrew the application and submitted a fresh one for employment on behalf of her son stating that at present he is a minor and an employment be given when he attains adult. At that point of time, the applicant only 11 years old. Therefore, when the applicant became an adult, he submitted an application for compassionate employment for himself on 18.02.2020 before S.D.L. & L.R.O. Jhargram. Later, the respondent, Department of Land and Land Reforms considered the matter and rejected the same on 21.06.2022 on the ground that the application for compassionate employment was submitted much after the death of the

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deceased employee. The impugned order refers to 26-Emp. dated 01.03.2016 and 251-Emp. dated 03.12.2013 of the Labour Department in which the time for submission of such application is mentioned.

Heard the learned counsel and the Departmental representative.
The matter is admitted.

Let the matter appear under the heading "For Orders" on 12th October, 2023. Reply and rejoinder, if any, in the meantime.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR