

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. OA - 800 of 2019 (MA – 19 of 2020)

Sanno Kumari - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Advocate
<u>12</u> 29.01.2021	For the State Respondents	: Mr. S.K. Mondal, Advocate

The matter is taken up by the Single Bench pursuant to the Notification No. 949 - WBAT/2J - 15/2016 dated 24.12.2020 issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunal's Act, 1985.

Affidavit of service has been filed. Let it be kept with the record.

MA - 19 of 2020

The instant M.A. has been filed praying for condonation of delay in filing the Original Application. As per the applicant, her father died on 02.05.2013. Subsequently, she made an application for compassionate appointment and her case along with the enquiry report was recommended vide letter dated 04.06.2015 by the Medical Superintendent cum Vice Principal, IPGME&R-SSKM Hospital to the Director of Health Services (Annexure P5 of the Original Application). However, till date no final decision has been communicated to her. As she was waiting for the final decision of the authority, there is some delay in filing the Original Application. During the course of the hearing, the counsel for the applicant has submitted one Memo No. 55/1 - SP dated 20.01.2020 issued by the Deputy Secretary to the Joint Secretary,

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Government of West Bengal, Health & Family Welfare Department. Therefore, the counsel for the applicant has prayed for condonation of delay for filing the Original application as she has an arguable case on merit and unless and until the delay would be condoned, she would be suffer irreparable loss and injury. The counsel for the respondent has also submitted that till date no decision has been communicated.

As the respondent has not communicated the decision till date, for the ends of justice delay is condoned. Accordingly, the M.A. is allowed.

O.A. - 800 of 2019

During the course of the hearing, the counsel for the applicant has submitted that since she is in urgent need of financial assistance, it would be suffice her purpose if the respondent no. 1 is directed to take final decision with regard to her compassionate appointment within a stipulated period of time.

The counsel for the respondent has no objection to such proposal.

In view of the above, the respondent no. 1 is directed to take final decision with regard to the compassionate appointment of

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the applicant and communicate the same by way of a reasoned and speaking order within a period of four months from the date of receipt of the order.

Accordingly, both the O.A. & M.A. are disposed of.

A.K.P.

Mrs. URMITA DATTA (SEN)
MEMBER (J)