

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 808 of 2019

Arindam Datta -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M. Bhattacharya,
Ld. Advocate.
For the State respondent : Mrs. S. Agarwal,
Ld. Advocate.

10
02.03.2023

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.

Mrs. S. Agarwal, learned counsel for the State respondents points out the following errors made in the application :

- (i) In the cause title, the correct name should be “Secretary, Department of Health & Family Welfare.”
- (ii) That instead of Nabanna, H.R.B.C. Bhavan, in serial no. 2, the correct address would be “Swasthya Bhaban, Block-GM 29, Sector-V, Salt Lake City, Kolkata-91”.

Liberty is given to the applicant to correct the above mistakes in the cause title during the course of the day.

In terms of the Tribunal's Order dated 12.07.2017 in OA 476 of 2017, the Director of Health Services, West Bengal passed a reasoned order on 16.08.2017 in which the applicant was found to be eligible for compassionate appointment. However, even after lapse of more than five years, the Department has not issued him the appointment letter. Today, Mrs. S. Agarwal, learned counsel for the State respondents submits a copy of the letter written by the Additional Director (Personnel) to the Director, IPGME&R. The letter dated 24.02.2023 in which the Director of IPGME&R has been reminded to send four relevant documents relating to the applicant's compassionate employment. Since these relevant documents have not been provided by the Director of IPGME&R, Mrs. Agarwal prays for a direction to

ORDER SHEET

Arindam Datta

Form No.

Case No. **OA 808 of 2019.**

Vs.

The State of West Bengal & Ors.

him to submit these documents at the earliest.

In view of the above submission, the Respondent No. 5, the Director, Institute of Post Graduate Medical Education & Research is directed to submit the four documents as requested by the Director of Health Services, West Bengal in connection with the compassionate employment of the applicant, Arindam Datta within a period of six weeks from the date of communication of this order to him. The Director of Health Services, West Bengal, the Respondent No. 3 is also directed to process the case of compassionate employment of the applicant within a period of six weeks from the date of receipt of documents from Director of IPGME&R.

Let the matter appear under the heading "**For Orders**" on **18.07.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

HS/SS