

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 833 of 2021.

SRI BOMKESH CHAKRABORTY – VS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

10  
18.7.2023

For the Applicant : Mrs. S. Agarwal,  
Advocate.

For the State Respondents : Mr. S.N. Ray,  
Advocate.

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 23<sup>rd</sup> 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 for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the impugned order dated 20<sup>th</sup> September, 2021 passed by the Principal Secretary, Animal Resource Development Department.

In terms of an order of this Tribunal dated 24.3.2021 directing the respondent to take final decision and pass a reasoned order, this impugned order was passed on 20.9.2021. The issue relates to the applicant's prayer for appointment on compassionate ground.

The reasoned order after considering the matter rejected the prayer for compassionate appointment on several grounds, the primary grounds are as follows :-

- i) Enquiry cum screening committee did not recommend.
- ii) The respondents were not satisfied with the financial difficulties as stated by the applicant.

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- iii) The respondents noted that the applicant owned two brick houses.
- iv) The Committee also found that the applicant has an electrical repairing shop located adjacent to his house.

Responding against such grounds being relied on by the respondent authority, Mrs. S. Agarwal, learned counsel for the applicant submits that the house and shops mentioned in the enquiry report does not belong to the applicant. Mrs. Agarwal also submits that referring to the marriage of his sisters, who are supposed to be living "Happily" does not mean that the applicant has no responsibility towards them.

After hearing the submissions and examining the papers in this application, it is the observation of the Tribunal that the reasoned order passed by the respondent has sufficiently covered all the areas to be examined. Further, the enquiry committee in its report has also shown various details of the applicant's financial condition. From these it is apparent that the applicant is not in dire economic crisis. The appointment on compassionate ground is a gesture of compassion and a supporting hand extended by the Government to the family of the deceased employee at the time of death of the employee. In this case, the employee had died on 25.10.2009. Such compassionate appointment is required only to the family members, who are in a difficult financial condition after the sudden death of their parents. In this case, there are clear and sufficient indicators that the applicant, the son of the deceased employee is not in such critical financial condition.

Therefore, it is the order of this Tribunal that this application does not have the merit and is disposed of without any order.

Skg.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).