

ORDER SHEET

**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-866 of 2017**

Anushka Saha -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order

For the Applicant : Mr. K. Roy,  
Ld. Advocate.  
For the State Respondent : Mrs. S. Mitra,  
Ld. Advocate.

21  
25.01.2024

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 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, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Despite service of notice, none has been appearing on behalf of the respondent authorities. The matter will be heard as per the records in this application.

Mr. Roy, learned counsel for the applicant submits that as it appears from the reply of the State respondent that her application for compassionate employment was regretted on the ground that the applicant was a minor at the time of death of her mother. However, neither this reply is supported by a copy of such an impugned order nor such order has been communicated till now to the applicant. Receiving a response against her application is a fundamental right of the applicant. In absence of such communication, her application cannot be ignored.

It is understood from the reply, though the application was regretted, but copy of such impugned communication has not been served upon the applicant. Therefore, it is the direction of this Tribunal to Respondent No. 3, the Chief Medical Officer of Health, Murshidabad to file a copy of such rejection order in this Tribunal on the next date and also communicate the same to the applicant within two (02) weeks from the communication of the date of this order.

Let the matter appear under the heading “**For Orders**” on **04.04.2024**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**