

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 88 of 2023.

SRI MAHADEB GORAI- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

2
4.5.2023

For the Applicant : Mr. K.P. Mukhopadhyay,
Advocate.

For the State respondents : Mr. A.K. Das Sinha ,
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 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 for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the reasoned order passed by the respondent authority on 22nd September, 2017 rejecting the applicant's prayer for compassionate employment. The reason order relied on para 6(a) of Notification 251-Emp dated 3rd December, 2013 outlying the source of earning of the family, which has crossed more than 90 per cent of the monthly salary of the deceased employee.

Mr. K.P. Mukhopadhyay, learned counsel appearing for the applicant prefers to challenge this ground of reason by submitting financial statement of the family to prove that the total family earnings are below 90 per cent of the monthly gross salary of the deceased employee.

Let the matter appear under the heading "Further Hearing" on 31st August, 2023.

Skg.

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

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-Vs-

THE STATE OF WEST BENGAL & ORS.

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