

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-894 of 2021

Tanumoy Dutta Roy **VERSUS – The State of West Bengal & Ors.**

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|---------------------------------|--------------------------|---|---------------------------------------|
| Serial No. and Date of order | For the Applicant | : | Mr. D. Sen, Learned Advocate. |
| <u>04</u> 07.07.2022 | For the State Respondent | : | Mrs. S. Agarwal, Learned Advocate. |

In this application, the applicant Tanumoy Dutta Roy has prayed for directing the respondents to consider his application for compassionate employment. The applicant's father Tanuj Dutta Roy who was an Assistant in 5th Battalion, Kolkata Armed Police passed away on July 8, 2011. Thereafter, the widow, the mother of the applicant Binu Dutta Roy had applied for compassionate appointment on 04.06.2012. Later she decided that in stead of her, her son, the applicant Tanu Dutta Roy will be the applicant and, therefore, the applicant applied for job on compassionate ground on 04.04.2016.

Learned advocate for the applicant submits that suitable direction be given to the respondents to dispose of the application at the earliest.

Mrs. Agarwal appearing on behalf of the respondent brings to my notice that a copy of the reasoned order issued by the respondents on 16.06.2022 where it appears that the said application was considered but rejected citing the following grounds :-

a)"The candidate could not attain eligible age for government service within stipulated period of two

years from the date of death of the deceased employee.

b)The Belated Clause 10 (aa) of 26-Emp dated 01.03.2016 is not applicable in this case as there was an eligible family member on the date of death.

c)Physical and other tests conducted by Police Authority, if any, are not validated until/unless basic eligibility is established.

d)The criteria for immediate financial need of the family in terms of Labour Department's Notification as stated above has not been established."

Since the learned advocate is not aware of such impugned order, a copy be served to him, which is served and accepted.

Mrs. Agarwal submits that since the application has been considered and disposed of by the respondent, therefore, further proceedings under this application may be dropped.

I agree with Mrs. Agarwal, and, therefore, since the application has been disposed of by the respondents, let the application be disposed of. If the applicant wishes to challenge the impugned order, he may do so by a fresh application.

SAYEED AHMED BABA
MEMBER (A)