

**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 91 of 2023.

SOMA ROY- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

2  
17.4.2023

For the Applicant : Mr. S.K. Ghosh,  
Mrs. P. Roy,  
Advocates.

For the State respondents : Mr. G. Halder,  
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.

Affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondents to give appointment to the applicant on compassionate ground. Submission of learned counsel for the applicant is that after the death of her father as a constable on 26<sup>th</sup> August, 2010, a plain paper application was submitted by Rita Mukherjee, wife of the deceased employee Mihir Mukherjee before the Superintendent of Police, Nadia on 19<sup>th</sup> June, 2014. The official seal and signature of Superintendent of Police, Nadia appears to be on the page of such application submitted by the applicant. In this representation, the mother Rita Mukherjee prays for compassionate employment on behalf of her daughter Soma Roy. Submission of Mr. Ghosh is that despite the death of the applicant's father in 2010 and several representations submitted both by the applicant and applicant's mother, the respondent authority has neither acted upon these nor communicated any decision to the applicant.

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Mr. G. Halder, learned counsel appearing on behalf of the State respondents submits that if a direction is given, same will be considered as per rule.

After hearing the submission of the learned counsels and considering the facts and circumstances of the case, this application is disposed of by directing the respondent no. 1 – the Additional Chief Secretary, Home and Hill Affairs Department, Nabanna to consider the application for compassionate employment in favour of the applicant Soma Roy, daughter of the deceased constable named Mihir Mukherjee under Nadia District Police as per rules and with particular reference to the Hon'ble Apex Court judgement No. 33005 : SLP (c)No. 17638-17639/2018(XVI) and order dated 13<sup>th</sup> September, 2017 passed in WPST 447 of 2013 (Arpita Sarkar – Vs- State of West Bengal & Ors) and shall pass a reasoned order within sixteen weeks from the date of passing the order and shall communicate the applicant within two weeks thereof.

The matter is disposed of.

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

Sk.