

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

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

**Case No. – OA-936 of 2018**

**Subhasish Barman VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	:	Mr. S.K. Mondal, Learned Advocate.
<u>11</u> 14.07.2022	For the State Respondents	:	Mr. G.P. Banerjee, Learned Advocate.

In this application, the applicant Subhasish Barman has prayed for compassionate employment since his father had died in harness as a constable with Kolkata Police on 26.05.2002. Although the applicant's mother Smt. Renuka Barman was offered such employment but she did not take this offer. Later in the year 2014, she applied on behalf of her son which was considered by the respondents and rejected on the following grounds :-

"On the ground that the applicant was a minor of only 8 and ½ years old at the time of his father's death. Therefore, in view of the Notification 26-Emp dated 01.03.2016, his prayer for compassionate appointment could not be accepted."

In the impugned order, the respondents although rejecting the application of the applicant, but has also offered appointment in favour of the widow provided she is willing and she is physically fit to accept and perform her duty. After offering this, the respondent has asked the mother of the applicant to express her willingness. However, it appears that the mother of the applicant has not till date submitted her response on this offer

of employment to the respondents.

Mr. Banerjee on behalf of the Respondents submits that although such offer was made in the year 2018, till date the applicant's mother has not shown any interest to accept this offer. So far prayer of the applicant is concerned, Mr. Banerjee submits that as per existing rules, since the applicant was a minor at the time of father's death and moreover, the application for employment was made in 2014 which is after 12 (twelve) years from the date of death of the father.

Mr. Mondal appearing on behalf of the applicant prays for an accommodation. Prayer is allowed.

Matter is admitted. Let it be listed for Hearing on **26.07.2022.**

SAYEED AHMED BABA  
MEMBER (A)

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