

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA 973 of 2019

Shraban Kumar Das. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. S. Kamal, Mr. S. Hossain, Advocates.
<u>10</u> 17.05.2022.	For the State Respondents	: Mrs. S. Agarwal, Advocate.

In the instant application, the father of the applicant Anil Chandra Das working as Group-D staff under P.W.D. Department, Malda, who died-in-harness on 20.11.2012. The applicant – Shraban Kumar Das, the adopted son of the deceased employee after due verification of documents received the retiral benefits. The applicant also applied for compassionate employment within the stipulated period. Based on his application, the respondents started processing his case and certain documents were also asked for from the applicant. The applicant, accordingly, submitted those documents.

In the application, the applicant prays for a direction upon the respondents to issue an appointment letter under the died-in-harness scheme.

Learned advocate for the State submits that if direction is passed, the prayer of the applicant will be considered in accordance with law.

Having heard both the learned advocate for the parties and further considering the materials on record, there is no doubt that the prayer of the applicant is pending for disposal for a considerable period without any justifiable cause. It is a duty of the State respondents to come to a conclusion in respect of the entitlement of the applicant as

ORDER SHEET

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regards his appointment on compassionate ground.

Accordingly, the Joint Secretary (Works), P.W.D. Department, Government of West Bengal – the respondent no. 1 is directed to dispose of the prayer of the applicant for appointment on compassionate ground within eight weeks from the date of communication of this order, by passing a reasoned order and the same be communicated to the parties within two weeks thereafter.

The applicant is directed to communicate a copy of this order downloaded from the website of the Tribunal to the respondent no. 1 at once.

However, I make it clear that I have not gone into the merits of the matter and all facts are left open to be dealt with by the respondents according to law.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.