

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. – OA 44 of 2021**

**Indrajit Barman - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. G.P. Banerjee, Mrs. S. Agarwal, Advocates.
<u>02</u> 24.03.2021	For the State Respondent	: Mr. B.P. Roy, Advocate.

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 issued in exercise of the powers conferred under Sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

As prayed for by Mr. G.P. Banerjee, learned advocate for the applicant, leave granted to correct prayer 10(a) at page 16 of the application in course of this day.

In this application, Indrajit Barman - the applicant, has prayed for a direction upon the respondents to consider his representation dated 3<sup>rd</sup> December, 2020 for appointment in a Group D post on compassionate ground. It appears that Dharendra Kumar Barman, a Constable in the West Bengal Police expired on 27<sup>th</sup> July, 2011. Thereafter, the widow of the deceased on 29<sup>th</sup> August, 2011 prayed for appointment of Biswajit Barman, her elder son, to the post of Constable on compassionate ground. Biswajit Barman declined the offer and requested the authorities to appoint the applicant as Constable on compassionate ground in the died-in-harness category. The applicant made an application on 14<sup>th</sup> September, 2015 for appointment to the post of Constable in West Bengal Police on compassionate ground due to the death of his father. It appears that the Inspector General of Police (Administration), West Bengal, the respondent no. 2 (iii), by an order

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contained in the memo dated 8<sup>th</sup> June, 2017 expressed his inability to consider the case for appointment under the exempted category for non-fulfillment of certain conditions as mentioned therein. However, it was mentioned therein that the case of the applicant “may be considered for other post if he is willing and fulfills eligibility criteria for compassionate appointment and possesses required qualification and eligibility for the said post.” Thereafter, the applicant made a series of representations before the authorities for consideration of his case for appointment in Group D post. Subsequently on 3<sup>rd</sup> December, 2020, the applicant had filed a representation before the Superintendent of Police, Jalpaiguri, West Bengal, the respondent no. 2(iv), praying for appointment in the Group D post on compassionate ground.

Heard Mr. G.P. Banerjee, and also Mr. B.P. Roy, learned advocate for the State respondents.

Having heard the learned advocates for the parties and as prayed for on behalf of the applicant, the application is disposed of by directing the Superintendent of Police, Jalpaiguri, West Bengal, the respondent no. 2(iv), to give a reply with reasons to the applicant to the representation dated 3<sup>rd</sup> December, 2020, being annexure K to the application, within 15 weeks from the date of presentation of a copy of this order downloaded from the internet / website.

(SOUMITRA PAL)  
CHAIRMAN

Rajib

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