

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble Mr. P. Ramesh Kumar, Member (A).

MA-40 of 2020 (OA- 382 of 2019)

Dilip Kumar Biswas Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<u>02</u> 03.03.2020	<p>For the petitioner : Mr. S.N. Ray, Learned Advocate.</p> <p>For the respondent : Mrs. S. Agarwal, Learned Advocate.</p> <p style="text-align: center;">The instant application has been filed mainly challenging the order dated 31.08.2018 (Annexure-F) . as per the applicant due to some reason, he could not apply for compassionate appointment within time before the authority.</p> <p style="text-align: center;">The counsel for the respondent has vehemently submitted that from the perusal of the impugned order, it would be evident that the applicant approached before the authority after 12 years since his father died on 27.08.1994. Therefore, she does not want to file any reply.</p> <p style="text-align: center;">We have heard the parties and perused the record. It is noted that the father of the applicant died on 27.08.1994. However, as per the applicant, he made application for compassionate appointment on 26.04.1995. However, after going through the letter</p>	

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<p>02 03.03.2020</p> <p>sc</p>	<p>dated 26.04.1995, it is noted that the aforesaid letter was submitted before the respondent authority for disposal of retiral benefits of the deceased employee. Therefore, it cannot be accepted that he applied for compassionate appointment in the year 1995. Subsequently, as per the document of the applicant, he applied for compassionate on 23.02.2006 (Annexure-C). Therefore, the case of the applicant has rightly been rejected by the authority for submitting the application for compassionate appointment after 12 years after a lapse of such a long time, which has frustrated the main purpose of the compassionate appointment.</p> <p>In view of the above, we do not find any reason to entertain the instant application. Accordingly, both the MA & OA are dismissed being devoid of merit.</p> <p>MR. P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	

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