

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)

Case No – MA-169 of 2018 (OA-709 of 2015).**Rajib Lochan Bag + Another Vs The State of West Bengal & Others.**

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
<p>11</p> <p>-----</p> <p>30-07-2019</p>	<p>For the Applicants : Mr. A. K. Chattopadhyay, Advocate.</p> <p>For the State Respondents : Mr. A. De, Mrs. R. Sarkar, Departmental Representatives.</p> <p>The instant application has been filed praying for recalling of the order dated 11-09-2018, whereby the application of the applicant was dismissed for default. However the Counsel for the applicant has fairly submitted that due to his personal difficulties he was not able to appear before the Court.</p> <p>As per the applicant, his father died on 09-01-2005, subsequently the mother of the applicant applied for herself for compassionate appointment on 10-08-2006 and thereafter she withdraw her candidature and after that her son (applicant) made an application for employment assistance for compassionate</p>	

ORDER SHEET**Rajib Lochan Bag + Another**
.....**Vs.****The State of West Bengal & Others.**

Form No.

Case No. **MA-169 of 2018 (OA-709 of 2015).**

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
	<p>appointment on 10-09-2009. However the applicant approached this Tribunal earlier in OA 372 of 2014, which was disposed of by an order dated 16-07-2014 with a direction to the respondent to consider the case of the applicant. In pursuance to the said order the respondent had rejected the case of the applicant. Being aggrieved with, he has filed the instant application. Therefore the Counsel for the applicant has submitted that since he has a good case, MA may be allowed.</p> <p>The departmental representatives had vehemently raised objection for restoration of the OA as the applicant has no case on merit. As per the respondent, the mother of the applicant applied after the death of her husband. However she withdraws her claim in the year 2006 when the applicant was minor. Thereafter, the applicant prayed for compassionate appointment after a lapse of 4 years and 8 months of his father's death as he was minor at the time of death of his father. Therefore the respondent had rightly rejected</p>	

ORDER SHEET**Rajib Lochan Bag + Another**

Form No.

Vs.**The State of West Bengal & Others.**Case No. **MA-169 of 2018 (OA-709 of 2015).**

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
Mihir	<p>the claim of the applicant on the ground of delay as well as on the issue of minor as per the circular. Therefore the Counsel for the respondent has submitted that there is no arguable case. Therefore the MA should not be allowed.</p> <p>We have heard both the parties and perused the records. It is noted that the case of the applicant was not maintainable at all. The Counsel for the applicant was not present since 12-08-2016, 16-09-2016, 19-12-2016, 28-04-2017, 03-08-2017, 08-12-2017, 07-03-2018 and 21-06-2018. Moreover, there is no merit in the case. We do not find any reason to allow the MA. Accordingly, the MA is rejected.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

ORDER SHEET

Rajib Lochan Bag + Another

Form No.

Vs.

The State of West Bengal & Others.

Case No. **MA-169 of 2018 (OA-709 of 2015).**

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