

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Urmita Datta (Sen) Member (J) & OA-17 of 2019
The Hon'ble Dr. Subesh Kumar Das, Member (A).

Sunil Kumar Mahato 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
<p>03 12.03.2019</p>	<p>For the petitioner : Mr. S.C. Dhara, Learned Advocate.</p> <p>For the respondent : Mr. S. Ghosh, Learned Advocate.</p> <p>The instant application has been filed challenging the impugned order dated 04.07.2018 whereby the case of the applicant was rejected on the ground that father of the applicant is getting family pension in addition to his own pension and they have their own residence. Therefore, the case of the applicant does not found that there are financial crisis. However, according to the applicant, he was dependent upon his mother and they have no relation with the father but reside with him on the same premises.</p> <p>The counsel for the respondent has submitted that the applicant is 43 years old and he could not be dependent on his mother. Moreover, the total family income does not fall below 90 % of the family income of the deceased employee as the father of the</p>	

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Vs.

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<p style="text-align: center;">03 12.03.2019</p> <p>sc</p>	<p>applicant is getting his own pension in addition to family pension of his deceased wife (mother of the applicant). Therefore, the respondent has rightly rejected the claim of the applicant for compassionate appointment.</p> <p style="text-align: center;">Heard both the parties and perused the records. It is noted that the applicant is presently at the age of 43 years being only son of their parents. Moreover, father of the applicant is getting his own pension and family pension of his deceased wife and also residing on their own residence. Therefore, in our considered view, the respondents rightly rejected the claim of the applicant. Accordingly OA is dismissed being devoid of merit.</p> <p style="text-align: center;">S.K. DAS MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

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