

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal, Chairman & OA-969 of 2018****The Hon'ble Mr. P. Ramesh Kumar, Member (A)****Mithun Barman****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 style="text-align: center;"><u>1</u> 07.02.2019</p>	<p>For the applicant : Mr. Sufi Kamal, Advocate.</p> <p>For the respondents : Mr. G.P. Banerjee, Advocate.</p> <p style="text-align: center;">Affidavit of service filed today be kept on record. Since despite service of notice none appears for the respondents, Mr. G.P. Banerjee, learned advocate who normally appears for the respondents is requested to appear in this matter. The Legal Remembrancer is directed to regularize his appointment. Let a copy of the original application be served on Mr. Banerjee which is served and accepted. Heard Mr. Sufi Kamal, learned advocate for the applicant and Mr. Banerjee, learned advocate for the respondents.</p> <p style="text-align: center;">In this application the applicant stated to be the son of the first wife has prayed for following reliefs, the relevant portions of which are as under :-</p> <p style="text-align: center;"><i>A. "A mandatory direction is issued upon the concerned respondent authorities to provide the enquiry report held by</i></p>	

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<p style="text-align: center;">01 07.02.2018</p>	<p style="text-align: center;"><i>the three men committee for appointment to the applicant in the post of as per qualification under died in harness category.</i></p> <p style="text-align: center;"><i>B. A Direction upon the concerned respondent authorities to issue appointment letter to the applicant as per his eligibility under died in harness category in the district of Coochbehar."</i></p> <p>It has been stated that though the daughter of the second wife has been provided with retiral benefits and family pension and his client is not against on such grant, however, grievance is regarding the rejection of the prayer of the applicant for compassionate appointment as evident from the memo dated 12th December, 2017 issued by the District Magistrate, Coochbehar, appearing at page 29 of the application. Mr. Sufi Kamal submits that at this stage he is not pressing</p>	

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<p style="text-align: center;">1</p> <p>07.02.2018</p> <p style="text-align: right;">Page /3</p>	<p>prayer (b) which may be agitated, if required, after having a copy of enquiry report Prayer is for a direction on the respondents to provide a copy of the enquiry report prepared by the three men enquiry committee.</p> <p style="text-align: center;">Mr. Goutam Pathak Banerjee, learned advocate for the respondents submits that if directed District Magistrate, Coochbehar, the respondent No. 1 (a) shall provide a copy of the enquiry report.</p> <p style="text-align: center;">Having heard Mr. Sufi Kamal, learned advocate for the applicant and Mr. Goutam Pathak Banerjee, learned advocate for the respondents and considering the facts and circumstances of the case,, this original application is disposed of by directing the District Magistrate, Coochbehar, respondent No. 1 (a) to provide the applicant with a copy of three men committee enquiry report as evident from the memo dated 12th December, 2017 within a period of eight weeks from the</p>	

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<p style="text-align: center;">1</p> <hr/> <p style="text-align: center;">07.02.2018</p> <p style="text-align: center;">SC</p>	<p>date of presentation of the copy of the order. It is made clear that we have not gone into the other issues of the case and it is also made clear that we have not dealt with prayer (b) and are kept open with liberty to agitate the same in future proceedings, if so advised.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">SOUMITRA PAL CHAIRMAN</p>	

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