

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

The Hon'ble Smt. Urmita Datta (Sen), Member (J)

&amp; The Hon'ble P. Ramesh Kumar, Member (A)

Case No OA - 1 of 2018**Sajal Biswas –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 style="text-align: center;"><u>7</u> 10.01.2020</p>	<p><i>For the Applicant : Mr. G.P. Banerjee, Mr. I. Seikh, Advocates.</i></p> <p><i>For the Respondents : Mr. R.A. Chowdhury, Advocate.</i></p> <p><i>The instant application has been filed challenging the impugned order dated 27.07.2017 whereby the candidature of the applicant was rejected on the ground of being minor at the time of the death of the father of the applicant as well as belated submission of application for compassionate appointment. As per the applicant, his father died on 23.04.2001, when the applicant was minor having date of birth 08.01.1989. Since he was minor at that point of time, his mother applied for compassionate appointment on 19.01.2001 to appoint the applicant who was minor at that point of time. Subsequently, after attaining majority, he filed one application on 08.12.2008 for compassionate appointment. However, his case was rejected.</i></p> <p><i>As per the respondent, the authority has rightly rejected the claim of the applicant as the compassionate appointment is guided by the different schemes of the State Government and as the applicant was minor at the time of death of his father and as per the scheme, the authority</i></p>	

**ORDER SHEET**

Sajal Biswas

Form No. ....

**Vs.****The State of West Bengal & Ors.**Case No. OA - 1 of 2018 .....

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
A.K.P.	<p><i>cannot wait for a minor to get majority or to consider a case of minor and as admittedly the applicant was minor and had filed the application in 2008.</i></p> <p><i>We have heard the parties and perused the records. It is a settled principle of law that the compassionate appointment is not a matter of right. It has to be extended to tide over the sudden financial crisis caused due to sudden demise of the sole bread earner and the compassionate appointment has to be guided by Scheme of the concerned department. It is admitted position that the applicant was minor at the time of death of his father i.e. on 23.04.2001 and had applied for compassionate appointment on 08.12.2008. As per the scheme of the State Government, minor cannot be considered for compassionate appointment and in the instant case; the applicant has applied after attaining majority in 2008. Therefore, the respondents have rightly rejected the claim of the applicant. In view of the above, we do not find any reason to entertain the application. Therefore, the O.A. is dismissed being devoid of merit.</i></p> <p><b>P. RAMESH KUMAR</b> <b>MEMBER (A)</b></p> <p><b>URMITA DATTA (SEN)</b> <b>MEMBER (J)</b></p>	