

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

The Hon'ble Urmita Datta (Sen) Member (J) & OA-100 of 2017  
 The Hon'ble Mr. P. Ramesh Kumar, Member (A).

Sarama Maity 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><u>11</u> 14.03.2019</p>	<p>For the petitioner : Mr. S.N. Roy, Learned Advocate.</p> <p>For the respondent : Mr. A. De, Departmental Representative.</p> <p>The instant application has been filed praying for a direction upon the respondents to give appointment on compassionate ground to the applicant.</p> <p>As per the applicant, her father died in harness on 25.08.2000 at the age of 59 years when the applicant was 7 years old only leaving behind his widow wife and eight daughters. Initially the mother of the applicant applied for compassionate appointment but her prayer was rejected vide order dated 23.08.2002 (Annexure-A3) on the ground that the deceased employee died only seven months prior to his retirement. Therefore, the case of the mother of the applicant was not found fit for compassionate appointment. Subsequently, after attaining the age of majority, the applicant</p>	

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<p>11 14.03.2019</p> <p>Page /2</p>	<p>made an application on 19.12.2011 to the respondents for compassionate appointment (Annexure-A-4) followed by another application on 17.12.2014 (Annexure-A6). However, her prayer was rejected by memo dated 28.03.2013 (Annexure-A7) by the Respondent No. 2. However, the applicant again made an application to the Chief Minister's Office for consideration of her case which was forwarded to the Deptt. for their comments on 25.03.2015. (Annexure-A8). As she has not been provided with compassionate appointment, being aggrieved, she has filed this instant application.</p> <p>The respondents have filed their reply wherein they have stated that the case of the mother of the applicant was initially rejected on the ground that the father of the applicant died seven months prior to the retirement and the case of the applicant was rejected. However, in response to the C.M.O's letter for re-examination of her case. The</p>	

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<p style="text-align: center;">11</p> <hr/> <p>14.03.2019</p> <p style="text-align: right;">Page /3</p>	<p>departmental representative of L &amp; L R Deptt. has placed one letter dated 29.06.2015 issued by the Joint Secretary to the Govt. of West Bengal to the Joint Secretary to the Hon'ble Chief Minister, Nabanna stating that the case of the compassionate appointment was already rejected. Let the copy of the letter be kept with the record. Therefore, the respondents have prayed for dismissal of the OA.</p> <p style="text-align: center;">Heard both the parties. It is noted that the father of the applicant died seven months prior to his retirement and, therefore, the application of the mother of the applicant for compassionate appointment was rejected when the applicant was seven years old only and subsequently after a gap of 12 years the applicant applied again for compassionate appointment without challenging the earlier order of rejection. Therefore, in our considered view repeated representation does not make any fruitful result for granting compassionate appointment to the deceased family. Therefore,</p>	

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