

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

The Hon'ble Urmita Datta (Sen) Member (J) &
Hon'ble P. Ramesh Kumar, Member (A)

OA-1166 of 2017

Manisha Halder

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>03</u> 20.09.2018</p>	<p>For the applicant : Mr. Sekhar Mustafi, Learned Advocate.</p> <p>For the respondent : Mr. Sankha Ghosh, Learned Advocate.</p> <p>Affidavit of service is filed. Let it be kept with the record.</p> <p>The instant application has been filed praying for a direction upon the respondents to consider the case of the compassionate appointment of the applicant. According to the applicant, her husband died on 11.12.2007. Thereafter she submitted an application before the Dy. C.M.O.H., on 09.01.2008. Subsequently her case was considered and she was provisionally selected for appointment on compassionate ground subject to outcome of Police verification and medical examination. Though, she was found fit in the medical examination, however, she was not communicated about the final outcome of the selection process till date. Being aggrieved with she filed this instant application on 21.12.2017.</p> <p>The counsel for the respondent has</p>	

ORDER SHEET

Form No.

Manisha Halder

Vs.**The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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;">03 20.09.2018</p> <p>Page /2</p>	<p>raised a preliminary objection on the point of limitation. According to the counsel for the respondent, on written instruction, he has submitted that she is not found suitable as per police verification report and the said decision was communicated vide Memo dated 09.08.2011 but the instant application has been filed in 2017 only. Moreover, he has drawn our attention to the verification made by the applicant wherein her age has been recorded as 59 years. Therefore, she is not eligible to be appointed at present. However, counsel for the applicant has submitted that he has not received any communication of rejection order.</p> <p style="text-align: center;">Heard the parties and perused the record. It is noted that as per the applicant, she was served with the medical report on 17.03.2010 even if we have to accept the contention of the applicant that she was not informed about the rejection, in that case also, instant application has been filed after seven years from the date of last communication made by the respondents to her. Moreover, the applicant is now 60 (sixty) years old. It is also noted that even no application for condonation of</p>	

ORDER SHEET

Form No.

Manisha Halder**Vs.****The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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;">03 ----- 20.09.2018</p> <p>SC</p>	<p>delay has been filed.</p> <p style="text-align: center;">In view of the above, we dismiss the OA being hopelessly barred by limitation. Let the copy of the instruction be kept with the record.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER(A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

ORDER SHEET

Form No.

Manisha Halder**Vs.****The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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
Page /3 10 <hr/> 14.09.2018		

ORDER SHEET

Form No.

Manisha Halder**Vs.****The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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/4 10 <hr/> 14.09.2018		

ORDER SHEET

Form No.

Manisha Halder**Vs.****The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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/5 10 ----- 14.09.2018		

ORDER SHEET

Form No.

Manisha Halder**Vs.****The State of West Bengal & Ors.**

Case No. OA-1166 of 2017

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
sc		