

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**& The Hon'ble Dr. Subesh Kumar Das, Member (A)**

**Case No – OA 1346 OF 2014**

**Snehalata Sinha 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;">17 <hr/>09.12.2020</p>	<p><i>For the Applicants : Mr. M.N. Roy, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. S. Ghosh, Learned Advocate.</i></p> <p>The instant application has been filed basically challenging the rejection of the candidature of the applicant on the ground that she was married at the time of death of her father.</p> <p>The respondents have filed their reply wherein they have also enclosed the minutes of the enquiry committee dated 18.03.2014 and has submitted that since the applicant was married at the material point i.e. death of the father. Therefore, her case was rejected on the said ground.</p> <p>During the course of the hearing, the Counsel for the applicant has submitted that in the meantime, the Hon'ble Apex Court by rejecting the appeal filed the State Government had confirmed the judgment of the Hon'ble High Court, Calcutta passed in WPST No. 447/2013 dated 13.09.2017 under Special Leave to Appeal (C) No. 17563/2018 of the Hon'ble Supreme Court of India</p>	

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wherein the Hon'ble High Court has held that the married daughters are also entitled to be considered for compassionate appointment subject to the fulfilment of the other conditions.

In view of the above, we remand back the instant case to the respondent no. 1 to reconsider the case of the applicant afresh by not giving effect of their earlier decision of rejection of her candidature on the ground of being married at the time of death of her father and pass a reasoned order and speaking order and communicate the same within a period of 8 (eight) weeks from the date of receipt of the order. However, we have not made any observation on the other eligibility of the applicant, the respondents to reconsider her case subject to fulfilment of her other eligibility conditions as per rules and norms.

Accordingly, the OA is disposed of.

( S.K.DAS)  
Member ( A)

URMITA DATTA (SEN)  
Member (J)

*H.S*

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It has been wrongly listed today under the supplementary list though the original application is supposed to be listed under new application as per the Registry note. Therefore, let the matter be treated as part of the original list under new application of item no. 2a.