

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

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das

Case No OA- 154 OF 2016

DILIP KUMAR JAMADER Vs. 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>08</u> 21.03.18</p>	<p>For the Applicant : Mrs.P.Majumder Learned Advocate</p> <p>For the Respondent : Mrs.S.Agarwal Learned Advocate</p> <p>The applicant has prayed for setting aside order dated July 29, 2015 issued by the Respondent No.1 and for direction upon the respondents to give appointment to the applicant on compassionate ground.</p> <p>It appears from the materials on record that one Dhiren Jamader died on December 22, 2001 while he was working as Sweeper at Godhanpara Public Health Centre in the district of Murshidabad. Dhiren Jamader died leaving behind his wife, one married daughter and three sons including the present applicant as legal heirs. The applicant being the son of the deceased employee submitted application for compassionate appointment, but the application was not considered for considerable period of time. The applicant approached this Tribunal by filing OA-531 of 2014 praying for direction upon the respondents to consider the application for compassionate appointment. On November 14, 2014, this</p>	

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	<p>Tribunal disposed of OA-531 of 2014 by directing the present Respondent No.1 to consider the application of the applicant for compassionate appointment. In view of the direction given by the Tribunal, the Respondent No.1 has considered the application of the applicant for compassionate appointment and rejected prayer of the applicant for compassionate appointment by passing reasoned order which is under challenge in the present application.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the reasoned order passed by the Respondent No.1, we find that the mother of the applicant was working as Sweeper when the father of the applicant died. Moreover, the mother of the applicant started getting family pension due to death of her husband in addition to the salary drawn by her as Sweeper in the same Institution where her husband used to work. The enquiry report which was considered by the Respondent No.1 indicated that two elder brothers of the applicant used to earn from their profession as Sweeper and they were married at the relevant point of</p>	

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BLR	<p>time. Since the mother of the applicant was earning salary as Government employee in addition to the family pension enjoyed by her due to death of her husband, the Respondent No.1 formed the opinion that there was no immediate need of financial assistance to the members of the deceased family and as such the claim of the applicant for compassionate appointment was refused. We do not find any cogent reason to interfere in the reasoned order passed by the Respondent No.1 by rejecting prayer of the applicant for compassionate appointment.</p> <p>In view of our above findings, the original application is dismissed.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p style="text-align: center;">(S.K.Das) MEMBER(A)</p> <p style="text-align: center;">(R.K.Bag) MEMBER (J)</p>	