

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 2018
SITA THAPA 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>01</u> 05.04.18</p>	<p>For the Applicant : Mr.M.K.Biswas Mrs.S.Chanda Learned Advocates</p> <p>For the Respondent : Mr.R.A.Chowdhury Learned Advocate</p> <p>The applicant has prayed for quashing of the letter dated May 12, 2017 issued by the Respondent No. 5, by which the applicant was directed to submit the affidavit signed by all the legal heirs of the deceased employee.</p> <p>The contention of the applicant is that the father of the applicant Durga Thapa died on May 11, 2008 while he was working as Government employee. The applicant submitted application for compassionate appointment which was duly processed and enquiry committee was also constituted. Learned Counsel for the applicant submits that the applicant participated in the enquiry and submitted necessary papers and as such the Respondent No.3 has no authority to call for affidavit signed by each of the legal heirs of the deceased employee in connection with the monthly income of all legal heirs of the said deceased employee.</p>	

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SITA THAPA

Form No.

Vs.**THE STATE OF WEST BENGAL & ORS.**Case No. **OA -154 OF 2018**

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BLR	<p>Having heard Learned Counsel representing both parties, we are unable to accept the contention made on behalf of the applicant as the monthly income of members of the family of the deceased employee cannot be ascertained in the absence of submission of an affidavit in this regard by all the legal heirs of the deceased employee. We do not find any merit in the submission made on behalf of the applicant. Nor do we find any merit in the present application. So, the 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>	