

**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).

OA -158 of 2020

Subhadip Dutta 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;"><u>03</u> 04.12.2020</p>	<p>For the petitioner : Mr. G.P. Banerjee, Mr. D. Banerjee, Learned Advocates.</p> <p>For the respondent : Mrs. S. Agarwal, Learned Advocate.</p> <p style="text-align: center;">The instant application has been filed praying for following relief :-</p> <p style="text-align: center;">a) An order directing the respondent authorities to forthwith grant appointment to the applicant on compassionate ground in died-in-harness category, upon the death of his father, Late Pradip Kumar Dutta, and to take necessary steps and do all that it needful so as to ensure that the applicant be given such appointment at the earliest.</p> <p style="text-align: center;">b) Costs and any such further order or orders as Your Lordships may deem fit and proper for the ends of justice.</p> <p style="text-align: center;">As per the applicant, his father died on 04.05.2017. Thereafter, he made application for compassionate appointment immediately and as no decision was communicated to him, he has approached this Tribunal in</p>	

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<p style="text-align: center;">03</p> <hr/> <p>04.12.2020</p>	<p>OA -456 OF 2019, which was disposed of on 21.08.2019 with a direction to the respondent authority to take final decision with regard to the compassionate authority of the applicant. In pursuance to the said order, the Additional Chief Secretary, Health &amp; Family Welfare Department vide communication letter dated 01.10.2019 had passed the following order :-</p> <p style="text-align: center;"><i>“Now, therefore, after careful consideration of the facts and circumstances and on examination of the instant case, it is ordered, that the application of Subhadip Dutta is hereby accepted as he is found to be eligible for the appointment on compassionate ground subject to the satisfactory fulfilment of other rules and formalities by applicant.</i></p> <p style="text-align: center;"><i>The matter is thus disposed of with the aforesaid order. Let the copies of the Reasoned Order be communicated al all concerned accordingly.”</i></p> <p>As per the counsel for the applicant, since then neither any communication has been made nor any appointment letter been issued in favour of him. Since more than one year has already been lapsed and he is in a distressed condition, therefore, the counsel for the</p>	

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<p style="text-align: center;">03 04.12.2020</p> <p style="text-align: left;">SC</p>	<p>applicant has prayed for necessary direction may be passed upon the respondent authority to implement their own order within a stipulated period of time. The counsel for the respondent has submitted that the respondents take necessary steps within a stipulated period of time, if directed.</p> <p>Therefore, the respondents are directed to take all necessary steps/actions for providing compassionate appointment as per rules within a period of three months from the date of receipt of the order. Accordingly, OA is disposed of. All the parties are directed to act upon the web copy of the order.</p> <p style="text-align: center;"><b>SUBESH KUMAR DAS</b> <b>MEMBER (A)</b></p> <p style="text-align: center;"><b>URMITA DATTA (SEN)</b> <b>MEMBER (J)</b></p>	



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<p>02</p> <hr/> <p>15.02.2019</p>		



