

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

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

Case No OA- 216 OF 2016
ALPANA HAZRA 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>09</u> 17.04.18</p>	<p>For the Applicant : Mr.S.K.Ghosh Learned Advocate</p> <p>For the Respondent : Mrs.S.Agarwal Learned Advocate</p> <p>The applicant has prayed for direction upon the respondents to give appointment to the applicant on compassionate ground after setting aside letter dated June 1, 2015 (Annexure-H to the original application), by which the Respondent No.2 has communicated to the applicant about the fact of rejection of prayer of the applicant for compassionate appointment.</p> <p>It appears from the materials on record that one Pramila Hazra died on January 15, 2009 while she was in service. Pramila Hazra died leaving behind her son and six (06) daughters as legal heirs on August 06, 2013. The present applicant submitted application for compassionate appointment in the prescribed format by disclosing the name of the legal heirs of the deceased employee and the income of the family of the deceased employee. Previously the applicant approached this Tribunal by filing OA-1447 of 2017 which was disposed</p>	

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	<p>of on August 23, 2012 by directing the respondent of the said application to pass a reasoned order within a period of four (04) months from the date of communication of the order. Ultimately, on June 1, 2015, the applicant was communicated about the fact of rejection of prayer for compassionate appointment.</p> <p>On perusal of letter dated June 1, 2015 issued by the Respondent No.2 (Annexure-H to the original application), we find that prayer of the applicant was rejected as the applicant was not divorcee on the date of death of her mother. On perusal of application submitted by the applicant and on consideration of reply of the State Respondents, we find that the son of the deceased employee is living with the present applicant with family. It also appears from the application submitted by the applicant and from the reply of the State Respondents that the son of the deceased employee is an employee of West Bengal State Electricity Distribution Company Limited and drawing salary of Rs. 15, 589/- per month, which exceeds 90 % of last pay drawn by the deceased employee and minimum salary of a Group-D</p>	

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BLR	<p>employee. Since the income of the family of the deceased employee was Rs. 15,589/- per month and since the present applicant has been living with her brother in the family of the deceased employee, we are of the view that there was no acute financial crisis in the family of the deceased employee for giving compassionate appointment to the applicant. Moreover, the applicant was not divorcee at the time of death of her mother as pointed out by the Respondent No.2 in the letter dated June 1, 2015. In view of our above findings, we cannot persuade ourselves to set aside letter dated June 1, 2015 issued by the Respondent No.2. Nor can we persuade ourselves to give any direction to the State Respondents to reconsider prayer of the applicant for compassionate appointment.</p> <p>As a result, 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>	