

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble P. Ramesh Kumar, Member (A).

OA-370 of 2019

Hiyadat Sk. Vs. The State of West Bengal & Ors.

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<p><u>03</u> 27.09.2019</p> <p>Page /1</p>	<p>For the petitioner : Mrs. S. Chakraborty Learned Advocate.</p> <p>For the respondent : None.</p> <p>Affidavit of service has been filed. Let it be kept with the record.</p> <p>The instant application has been filed challenging the impugned order dated 06.02.2017 in pursuance to earlier order passed by this Tribunal dated 15.09.2016 in OA-307 of 2016 to take a final decision for compassionate appoint of the applicant within a period of eight weeks. However, as per the applicant since earlier the respondents had already conducted the enquiry, they should be restrained from taking any further enquiry in this regard and issue appointment letter in favour of the applicant.</p> <p>Heard counsel for the applicant and perused the records. It is noted that only</p>	

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<p style="text-align: center;">03 27.09.2019</p> <p>sc</p>	<p>ground challenging of this impugned order is to restrain the respondents to hold any further enquiry in this regard. However, it is a settled principle of law that the compassionate appointment is not a matter of right and is mainly to support the distressed family to overcome their financial crisis. In this scenario, for coming to a conclusion with regard to compassionate appointment, enquiry is necessary to identify the financial crisis as well as other criteria as per the scheme. Therefore, the applicant cannot claim as a matter of right for direction to the respondents to restrain from holding the enquiry. Therefore, we do not find any reason to interfere with the decision of the respondents. Accordingly, OA is dismissed at the admission stage with the above observation.</p> <p style="text-align: center;"> P. RAMESH KUMAR MEMBER (A) URMITA DATTA (SEN) MEMBER (J) </p>	

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