

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 -393 of 2017

Tarak Nath Biswas 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><u>11</u> 25.09.2019</p> <p>Page /1</p>	<p>For the petitioner : None.</p> <p>For the respondent : Mr. A.L. Basu, Learned Advocate.</p> <p>None for the applicant. On second call also none appeared for the applicant.</p> <p>The instant applicant has been filed praying for a direction upon the respondents for compassionate appointment of the applicant. As per the applicant, his father died on 23.06.2006 and he had approached before the authority and subsequently his case was rejected vide order dated 31.08.2012. However, he had challenged the said order in OA 282-2013 which was disposed by an order dated 09.01.2017 with a direction to the respondents to consider the case of the applicant by passing a reasoned and speaking order. In pursuance to that order, the respondents have passed reasoned order dated 31.03.2017 by which they have again rejected</p>	

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<p style="text-align: center;">11 25.09.2019</p> <p>Page /2</p>	<p>the case of the applicant on the ground of no financial crisis of the applicant in terms of the scheme of the Deptt. Being aggrieved with the applicant filed the instant application.</p> <p style="text-align: center;">The counsel for the respondent has submitted that the mother of the applicant was also a government employee, who retired on superannuation w.e.f. 31.07.2007 and ultimately died on 07.01.2015. After the death of his father, the mother of the applicant was getting both the pensions. i.e. family pension of his father and the pension of his mother. Therefore, at the time of death of his father, there was no financial crisis of the applicant. Further the monthly income of the family was not below 90 % of the gross monthly salary of the employee. Accordingly, the case of the applicant was not found fit for compassionate appointment and thus rejected.</p> <p style="text-align: center;">Heard counsel for the respondent and perused the records. It is noted that the applicant has himself admitted that his mother</p>	

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