

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &amp; OA- 572 of 2016

The Hon'ble Mr. P. Ramesh Kumar, Member (A)

**Priyanka Saha 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>10</u> 10.04.2019</p>	<p>For the petitioner : Mr. K.K. Dutta, Learned Advocate.</p> <p>For the respondent : Mr. M.N. Roy, Learned Advocate.</p> <p style="text-align: center;">The instant application has been filed praying for a direction to issue appointment letter in favour of the applicant. As per the applicant, her father died on 26.03.2006. Thereafter her mother applied for compassionate appointment. However, her case was rejected. Subsequently, the applicant has filed another application and the same was also rejected on 31.05.2015. Thereafter the case of the applicant was recommended for consideration for compassionate appointment vide communication dated 16.01.2013 by the State Commandant, NVF. But till date no final decision has been communicated to</p>	

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<p style="text-align: center;">10 10.04.2019</p> <p>Page /2</p>	<p>her. Being aggrieved with the applicant has filed this instant application.</p> <p style="text-align: center;">Heard the parties and perused the record. It is noted that the case of the applicant was considered by the highest authority and was rejected on the following grounds vide order dated 13.05.2015 :-</p> <p style="text-align: center;">1) Smt. Suchitra Saha, wife of deceased Platoon Commander (Driver) WBNVF Dist. Bn. Stores, Halisahar, has already been declared unfit (vide memo 3E-16/FA/3008 dated 29.06.2012 due to unsatisfactory V.R.</p>	

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<p style="text-align: center;">10</p> <hr/> <p>10.04.2019</p> <p style="text-align: left;">P/4</p>	<p>From the aforesaid order, it is further noted that the wife of the deceased employee was not found fit due to unsatisfactory V.R. Further as per the scheme of the department, as the applicant was minor at the time of death of her father, her case cannot be considered and the compassionate appointment cannot be transferred to other person. Therefore, in our considered view, the respondents have rightly rejected the claim of the applicant as the compassionate appointment is guided by the relevant circular/scheme of the Govt. as no scope for consideration of the case of minor as well as once the case was rejected for her mother, she cannot be considered again. Accordingly, we do not find any reason to entertain this application. Accordingly, OA is dismissed</p>	

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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>P/5</p> <p>02</p> <hr/> <p>15.02.2019</p> <p>P/6</p>		

