

**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-58 of 2020**

**Samit Ghosh 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
<u>03</u> 01.10.2020	<p>For the petitioner : None.</p> <p>For the respondent : Mr. M.N. Roy, Learned Advocate.</p> <p>The matter was heard on 05.03.2020 by the Bench comprising of Mrs. Urmita Datta (Sen), Member (J) and Mr. P. Ramesh Kumar, Member (A) and the matter was disposed of in the open Court by dictating order. Though the order was signed by the Member (J), however, as in the meantime, Mr. P. Ramesh Kumar has resigned from service and the pandemic situation had started, therefore, the said order could not be signed by the Administrative Membr. Since the matter was dictated in the open court, this Bench now pass the same order in presence of both the parties. The same order is quoted below :-</p> <p style="text-align: center;">“The instant application has been filed praying for the following direction upon the respondents:-</p> <p style="text-align: center;">a) An order to issue directing the respondents to grant compassionate</p>	

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<p style="text-align: center;">03 01.10.2020</p>	<p>appointment in favour of your applicant to the post of Lower Division Clerk (Group-C) under exempted category in Paschim Medinipur district as your applicant's father died while in service and since he has already been referred to the post in question and also as per Memo No. 19/1/SPL/Emp-230/2015 dated 08.01.2016.</p> <p>b) An awarding cost to this proceeding to be paid by the respondent to the applicant;</p> <p>c) An order granting such further or other order or orders, relief or reliefs as this Hon'ble Tribunal may deem fit and proper for the ends of justice.</p> <p>As per the applicant, his father died on 30.09.2014 while in service leaving behind his wife and son (the applicant herein). After the death of his father the applicant has submitted all the required documents before the respondent authority praying for</p>	

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<p style="text-align: center;">03</p> <hr/> <p>01.10.2020</p> <p style="text-align: left; margin-top: 200px;">Page /3</p>	<p>compassionate appointment and the applicant had time to time appeared for all the required examinations held for the post of L.D.C. in W.B.P. The counsel for the respondent has submitted that proposal for compassionate appointment has already been sent to Home &amp; Hill Affairs Deptt. in the year 2016. But till date no final decision has been communicated to the applicant for compassionate appointment. Being aggrieved, he has filed this instant applicant.</p> <p style="text-indent: 40px;">The counsel for the applicant has submitted that it would suffice his purpose if the Respondent No. 1 would be directed to take a final decision with regard to compassionate appointment of the applicant and communicate the same within a stipulated period of time.</p> <p style="text-indent: 40px;">The counsel for the respondent has no objection to such proposition.</p> <p style="text-indent: 40px;">In view of the above, Respondent No. 1, Additional Chief Secretary, Home &amp; Hill Affairs Department, Nabanna is directed to take a final decision with regard to compassionate appointment of the</p>	

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<p style="text-align: center;">03 01.10.2020</p> <p style="text-align: center;">SC</p>	<p>applicant and to communicate the applicant within a period of eight weeks from the date of receipt of this order. Accordingly, OA is disposed of with the above direction.”</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>	





