

**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-81 of 2019

Anindita Bose Vs. The State of West Bengal & Ors.

| Serial No.<br>and<br>Date of order.<br>1                                   | Order of the Tribunal with signature<br>2  | Office action with date<br>and dated signature<br>of parties when necessary<br>3 |
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| <p style="text-align: center;">09<br/><u>27.09.2019</u></p> <p>Page /1</p> | <p>For the petitioner : Mr. S. Ghosh,<br/>Mr. M.N. Roy,<br/>Mr. R.K. Mondal,<br/>Learned Advocates.</p> <p>For the respondent : Mr. R.A. Chowdhury,<br/>Learned Advocate.</p> <p>The instant application has been filed mainly challenging the impugned order dated 10.09.2018. However, as per the applicant, the case of the applicant was rejected on the ground that her father died on 31.01.2013 and she had submitted divorce application on 29.05.2016. Therefore, as he got divorced after the death of her father, she is not entitled to be considered for compassionate appointment. However, as per the applicant from the perusal of the Court's order of Additional District &amp; Sessions Judge, 2<sup>nd</sup> Court, Barrackpore, passed in MAT Suit No. 780 of 2016 is specifically recorded that the applicant was residing with her parents since 2013. Thus depending upon her father from that date.</p> |  |

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| <p style="text-align: center;">09<br/>27.09.2019</p> | <p>Moreover, the case of the applicant is a peculiar one as the younger sister of the applicant, who had made application for compassionate appointment, was subsequently met with a serious accident and had become medically incapacitated. Therefore, the applicant had approached in her place to maintain herself and her family. Therefore, the counsel for the applicant has fairly submitted that it would suffice her purpose if the Respondent would be directed to reconsider her case taking into account the entire aspect and financial need of the family as a special case.</p> <p style="text-align: center;">The counsel for the respondent has, however, submitted that the case of the applicant was considered and rightly rejected. However, he has no objection if any direction can be given for consideration of the case of the applicant as a special one.</p> <p style="text-align: center;">In view of the above, applicant is directed to make representation along with this</p> |  |

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| <p style="text-align: center;">09<br/>27.09.2019</p> <p>SC</p> | <p>order before the authority for consideration of her case. Accordingly, authority is directed to reconsider the case of the applicant after taking into account the financial condition and other circumstances treating this OA as a part of it and communicate the same by passing a speaking and reasoned order within eight weeks from the date of receipt of representation. OA is disposed of accordingly.</p> <p style="text-align: center;"> <b>P. RAMESH KUMAR</b><br/> <b>MEMBER (A)</b> </p> <p style="text-align: center;"> <b>URMITA DATTA (SEN)</b><br/> <b>MEMBER (J)</b> </p> |  |

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