

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble JUSTICE RANJIT KUMAR BAG  
& The Hon'ble DR. SUBESH KUMAR DAS**

**Case No – OA 871 OF 2016**

**INDRANI MAHATO 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;">06</p> <hr/> <p style="text-align: center;">18.05.2018</p>	<p><i>For the Applicant : Mr. D. Koley, Mr. A. Patra, Learned Advocates.</i></p> <p><i>For the Respondents : Mr. A.L. Basu, Mrs. S. Agarwal, Learned Advocates.</i></p> <p><i>The applicant is the wife of one Pranab Mahato who died on March 07, 2016 while working as Forest Guard under Divisional Forest Officer, Kangsabati North Division, District Purulia. The husband of the applicant served under Forest Department from July 26, 2010 to March 07, 2016. The applicant has not received any benefit of service of her deceased husband due to contrary claim made by the mother of deceased employee. It appears from record that the applicant submitted one informal application before the respondent no. 2 on April 29, 2016 for compassionate appointment, but the said application has not been processed.</i></p> <p><i>It appears from the reply submitted by the state respondents that the respondent no. 2, Divisional Forest Officer, Kangsabati North Division has written to the District Magistrate, Purulia to issue legal heirship certificate on April 27, 2016, but the said certificate has</i></p>	

# ORDER SHEET

INDRANI MAHATO

Form No. ....

**Vs.**

**The State of West Bengal & Ors.**

Case No. OA 871 OF 2016

*not yet been issued, resulting in delay in consideration of claim of the applicant for compassionate appointment.*

*Since the husband of the applicant died before completion of 10 years of service without nominating any one for receiving benefits of service, it incumbent upon the respondent no. 3, District Magistrate, Purulia to issue legal heirship certificate of Pranab Mahato since deceased. Accordingly, we direct the respondent no. 3, District Magistrate, Purulia to issue legal heirship certificate of Pranab Mahato since deceased within a period of 12 (twelve) weeks from the date of communication of the order.*

*The respondent no. 2, Divisional Forest Officer, Kangsabati North Division is directed to ensure release of financial benefits of service of deceased Pranab Mahato in favour of his legal heirs within a period of 12 (twelve) weeks from the date of receiving legal heirship certificate from the District Magistrate, Purulia. The applicant is directed to submit fresh application in prescribed format for compassionate appointment within a period of 4 (four) weeks from the date of release of benefit of service of her deceased husband before the respondent no. 2. If any such application is filed by the applicant for compassionate appointment, the respondent no. 2, Divisional Forest Officer, Kangsabati North Division is directed to consider the said application in accordance*

**ORDER SHEET**

**INDRANI MAHATO**

Form No. ....

**Vs.**

**The State of West Bengal & Ors.**

Case No. **OA 871 OF 2016**

*with law, as if the said application is filed by the applicant on April 29, 2016 i.e. on the date on which informal application was submitted by the applicant for compassionate appointment before the respondent no. 2.*

*With above direction, the original application is disposed of.*

*Let a plain copy of the order be supplied to both parties.*

**( S.K.DAS )  
Member ( A )**

**( R.K.BAG )  
Member ( J )**

*H.S*