

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

The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Subesh Kumar Das

Case No OA- 875 OF 2017

RUPA MALLICK Vs. 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>04</u> 10.04.18</p>	<p>For the Applicant : Mrs.S.Agarwal Learned Advocate</p> <p>For the Respondent : Mr.G.P.Banerjee Learned Advocate</p> <p>The applicant has prayed for direction upon the respondents to give compassionate appointment to the applicant on cancellation of letter dated November 27, 2013 issued by the Assistant Secretary to the Government of West Bengal (Annexure-D to the original application), by which prayer of the applicant for compassionate appointment was rejected.</p> <p>It appears from the materials on record that one Balchand Mallick died on December 08, 2005 while he was working as Sweeper at E.S.I. Hospital, Kalyani in the district of Nadia. The applicant being the daughter of Balchand Mallick submitted application for compassionate appointment on March 16, 2010, which was forwarded by the Superintendent, E.S.I. Hospital, Kalyani to the Respondent No.2 on August 16, 2010. Ultimately, prayer of the applicant for compassionate appointment was rejected on the ground that the</p>	

**ORDER SHEET****RUPA MALLIK**

Form No. ....

**Vs.****THE STATE OF WEST BENGAL & ORS.**Case No. **OA -875 OF 2017** .....

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>monthly income of the family of the deceased employee exceeded 90 % of the last salary drawn by the father of the applicant and the mother of the applicant was also a Government employee at the time of death of the father of the applicant. This order of rejection of prayer of the applicant was communicated under letter dated November 27, 2013 (Annexure-D to the original application).</p> <p>Mrs.S.Agarwal, Learned Counsel for the applicant submits that the mother of the applicant was Government employee at the time of death of the father of the applicant, but the mother of the applicant retired from service. On consideration of letter dated November 27, 2013, we find that the mother of the applicant used to draw monthly salary of Rs. 8,442/- as Government employee and the monthly income of the members of the family of the deceased employee exceeded 90 % of last gross salary of the deceased employee. Since the income of the family of the deceased employee exceeded 90 % of last gross salary of the deceased employee, we are of the view that there was no acute financial crisis in the family</p>	

**ORDER SHEET**

RUPA MALLIK

Form No. ....

**Vs.****THE STATE OF WEST BENGAL & ORS.**Case No. **OA -875 OF 2017** .....

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
BLR	<p>of the deceased employee warranting compassionate appointment. Accordingly, prayer of the applicant has been rightly rejected by the respondent authority. The original application is, thus, dismissed.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p>(S.K.Das) MEMBER(A)</p> <p>(R.K.Bag) MEMBER (J)</p>	