

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 998 OF 2017

KRISHNA PADA NAYAK + ANOTHER 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
02 <hr/> 07.06.2018	<p><i>For the Applicants : Mr. G.P. Banerjee, Mr. D. Koley, Mr. S.B. Mukherjee, Learned Counsels.</i></p> <p><i>For the Respondents : Mr. S.N. Ray, Learned Counsel.</i></p> <p style="text-align: center;"><i>The applicants have prayed for direction upon the respondents to give appointment to the applicant no. 1 in Group-D post on compassionate appointment.</i></p> <p><i>It appears from the materials on record that the applicant no. 1 submitted application for compassionate appointment after death of his father Kuila Nayak on October 04, 2009, while he was working in Group-D post in the office under Department of Public Health Engineering, Purulia Division. The grievance of the applicants is that the claim of the applicant no. 1 has not been considered by the respondents inspite of forwarding the case of the applicant no. 1 to the respondent no. 2 by the respondent no. 3 on August 31, 2012 along with all necessary documents. The applicants previously moved this application by filing OA 677 of 2016 which was disposed of by this Tribunal on August 03, 2016 whereby the Tribunal gave direction to the respondent no. 2 to</i></p>	

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consider the claim of the applicant for compassionate appointment within a period of 8 (eight) weeks from the date of communication of the order. The specific contention of the applicant is that the said respondent no. 1 has not complied with the direction given by the Tribunal and the applicants are not in a position to move contempt application as the same is barred by limitation due to lapse of time.

Under such circumstances, the respondent no. 1, Principal Secretary, Department of Public Health Engineering, Government of West Bengal is directed to consider the claim of the applicant no. 1 for compassionate appointment on the basis of letter dated August 31, 2012 issued to the respondent no. 2 by the respondent no. 3 in accordance with law within a period of 12 (twelve) weeks from the date of communication of the order.

With the 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