

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present ---
The Hon'ble
&
The Hon'ble

Case No. O.A. – 587 of 2014
Anamitra De -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;">13 ----- 12.02.2018</p>	<p><i>For the Applicant : Mr. Biswajit Tiwary, Ld. Adv.</i></p> <p><i>For the Respondents : Mr. S.N. Ray, Ld. Adv.</i></p> <p><i>The applicant has filed this application Under Section 19 of the Administration Act, 1985 challenging the letter dated March 31, 2014 issued by the respondent no. 2 in favour of the applicant, by which the reasons for refusal to give compassionate appointment to the applicant were communicated.</i></p> <p><i>The father of the applicant, Samirendra Nath Dey died on June 4, 1999, while he was working as Upper Division Clerk in the Police office at Malda. The applicant was minor at the time of death of his father. On February 16, 2008, the applicant submitted application for compassionate appointment before the respondent no. 2 after attaining majority. Ultimately, the said application for compassionate appointment was rejected and the reasons for rejection were communicated to the applicant by the respondent no. 2 on March 31, 2014, which is under</i></p>	

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	<p><i>challenged in present original application.</i></p> <p><i>It appears from the materials on record that the mother of the applicant was Group-D employee at the time of death of the father of the applicant. The application for compassionate appointment was submitted by the applicant almost after 8 (eight) years of death of the father of the applicant. On consideration of the letter dated March 31, 2014 issued by the respondent no. 2 (annexed O to the original application), we find that monthly income of the family of the deceased employee was more than 50,000/- per month, which exceeds 90% of gross monthly salary of the deceased employee and which is more than minimum gross salary of Group –D employee. It is crystal clear from the fact of the present case that the applicant waited almost 8 (eight) years for attainment of majority for submission of application for compassionate appointment as there was no immediate financial crisis in the family of the deceased employee, particularly when the mother of the applicant was Group-D employee under Government of West Bengal.</i></p> <p><i>In view of our above findings, we do not find any illegality in rejection of prayer of the applicant for</i></p>	

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H.S	<p><i>compassionate appointment as communicated to the applicant by the respondent no. 2 by issuing letter dated march 31, 2014. As a result, the applicant is dismissed.</i></p> <p><i>Plain copy to both parties.</i></p> <p>(S.K.DAS) Member (A)</p> <p>(R.K.BAG) Member (J)</p>	