

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

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

Case No – OA-1014 OF 2017  
SABYASACHI MURMU 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>01</u> 12.03.18</p>	<p>For the Applicant : Mr.A.Sinha Mr.H.Ghosh Learned Advocates</p> <p>For the Respondent : Mr.B.P.Roy Learned Advocate</p> <p>The original application is filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, praying for direction upon the Respondents to give appointment to the applicant on compassionate ground.</p> <p>The contention of the applicant is that one Balaram Murmu, the father of the applicant died on May 3, 2009 while he was working as Constable under Superintendent of Police, Paschim Medinipur. The applicant submitted application for compassionate appointment on the ground of death of his father while he was in service. The applicant approached the Tribunal by filing OA-844 of 2015 for non-consideration of his application for appointment on compassionate ground. On September 7, 2015, the Tribunal disposed of OA-844 of 2015 by directing the respondents of the said application to take a decision in connection with the case of the applicant for compassionate appointment within a</p>	

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	<p>period of 6 weeks from the date of communication of the order. The grievance of the applicant is that the respondents have not yet taken any decision in connection with the case of the applicant for compassionate appointment. On September 21, 2017, the applicant submitted one representation through his Learned Advocate before the Respondent No. 3 &amp; 4 and thereafter, approached the Tribunal by filing the present original application on November 14, 2017.</p> <p>Learned Counsel for the applicant submits that the case of the applicant has not been considered by the respondents as directed by the Tribunal by order dated September 7, 2015 passed in OA-844 of 2015. On the other hand, Learned Counsel representing the State Respondents has produced copy of correspondence between the Respondent No. 3 and the applicant and copy of correspondences made between the respondents themselves in connection with the compassionate appointment of the applicant. Let the copy of the correspondences be kept on record. The copy of the correspondence dated February 3, 2016 indicates that the Respondent No. 3 has communicated to the applicant by enclosing a copy of the letter issued by the Respondent</p>	

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BLR	<p>No. 4 on January 14, 2016 that the case of the applicant cannot be considered for compassionate appointment as the applicant did not attain majority within a period of 6 months from the date of death of his father. Moreover, the applicant has approached the Tribunal without waiting for 6 months from the date of last representation submitted on September 21, 2017 and as such, the present application is found to be premature.</p> <p>In view of our above findings, we cannot persuade ourselves to intervene for giving any direction on the respondents as prayed by the applicant. The original application is, thus, dismissed.</p> <p>Let a plain copy of this order be supplied to both parties.</p> <p style="text-align: center;">(S.K.DAS) MEMBER(A)</p> <p style="text-align: center;">(R.K.BAG) MEMBER (J)</p>	

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