

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Smt. Urmita Datta (Sen), Member (J)****& The Hon'ble P. Ramesh Kumar, Member (A)****Case No OA - 1038 of 2017****Kailash Routh –Vs- The State of West Bengal & Others.**

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>7</u> 07.09.2018</p>	<p><i>For the Applicant: Mr. H. Ghosh, Advocate.</i></p> <p><i>For the Respondents: Mr. S. Ghosh, Advocate.</i></p> <p style="text-align: center;"><i>Affidavit of service filed be kept with the record.</i></p> <p><i>The instant application has been filed praying for compassionate appointment. According to the applicant, the concerned employee died on 27.10.2017 and thereafter within one year i.e. on 03.01.2008, the applicant filed the instant application. Subsequently, the pro-forma application filed on 15.07.2010. Thereafter, vide letter dated 03.06.2011, the Joint Director of Health Services (Personnel) has asked for certain documents to the Chief Medical Officer of Health, Nadia, who in turned vide letter dated 04.04.2012 had sent the required documents. According to the applicant, thereafter as no action had been taken by the authority he made representation on 16.07.2016 and subsequently approached this Tribunal. The counsel for the respondent has raised the preliminary objection on the point of limitation as the application has been filed in 2017 only. Moreover, his application was already rejected on 16.09.2014, which was intimated to the applicant. Even then the instant application has been filed in the year 2017.</i></p>	

Form No.

Vs.**The State of West Bengal & Ors.**Case No. OA - 1038 of 2017

Serial No. and Date of ord1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
A.K.P.	<p><i>Heard the parties. Perused the record.</i></p> <p><i>It is noted that as per the respondent they had already rejected the claim of the applicant in the year 2014. However, the applicant has been filed in the year 2017 only and the letter dated 16.07.2016 as referred by the applicant as a representation has no receipt on it. Further, the applicant has also no application for condonation of delay. Therefore, it is apparent on the face of record that the instant application has been filed after a long time and without any application for condonation of delay. Accordingly, the O.A. is dismissed being barred by limitation.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	