

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

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

Case No OA- 1114 OF 2015

MINAR KHATUN 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>11</u> 26.03.18</p>	<p>For the Applicant : Md.Ashraful Huq Learned Advocate</p> <p>For the Respondent : Mr.S.Bhattacharya (Departmental Representative)</p> <p>The applicant has prayed for direction upon the respondents to give appointment to the applicant in a suitable post on compassionate ground.</p> <p>The contention of the applicant is that one Md. Afzal Hossain, father of the applicant died on April 26, 2001 when he was working as Revenue Inspector of Khargram Block, Kandi in the district of Murshidabad. The mother of the applicant Jaynab Bibi submitted application for compassionate appointment on February 27, 2002. Learned Counsel for the applicant submits that the said application for compassionate appointment was never considered by the authority concerned. On the other hand, the authorized representative of the State Respondents has referred to paragraph 3 (C) of the reply and submitted that prayer of the wife of the deceased employee for compassionate appointment was rejected</p>	

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**Vs.****THE STATE OF WEST BENGAL & ORS.**Case No. **OA -1114 OF 2015** .....

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	<p>and the same was duly communicated on October 29, 2004 by the Sub-Divisional Land &amp; Land Reforms Officer, Kandi. Be that as it may, the present applicant being the daughter of the deceased employee submitted application for compassionate appointment on August 25, 2015. It appears from the materials on record that the present applicant attained majority on November 25, 2006 and submitted the application for compassionate appointment after lapse of almost nine (9) years from the date of attaining majority and after lapse of almost fourteen (14) years from the death of her father.</p> <p>With the above factual matrix, we have to decide whether the applicant is entitled to be considered for giving compassionate appointment. The object of giving compassionate appointment is to tide over acute financial crisis caused by sudden death of the sole bread winner of the family. In the instant case, the applicant has submitted the application after fourteen (14) years of death of her father and after almost nine (9) years of attaining majority. Had there been any need of immediate employment in the family of the deceased</p>	

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BLR	<p>employee, the applicant would not have waited for nine (9) years after attaining majority for submission of the application for compassionate appointment. In this connection, we are unable to accept the contention made on behalf of the applicant that the widow of the deceased employee was not aware of the fact of rejection of her prayer for compassionate appointment as communicated by the Sub-Divisional Land &amp; Land Reforms Officer, Kandi under Memo. dated October 29, 2004. In view of our above findings, we do not find any merit in the present application. As a result, the present application is dismissed.</p> <p>Let a plain copy of the 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>	