

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 - 1164 of 2017****Amit Kumar Das -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>11</u> 15.01.2020</p>	<p><i>For the Applicant : Mr. A Bera, Advocate.</i></p> <p><i>For the Respondents : None.</i></p> <p><i>The instant application has been filed praying for a direction upon the respondents for consideration of his compassionate appointment. As per the applicant, his father died on 18.12.2012. Thereafter, the applicant made an application in plain paper on 17.01.2013 and subsequently as per the direction of the department, pro-forma application was submitted by him on 14.03.2014 (Annexure 'C'). However, the prayer of the applicant was rejected vide order dated 23.12.2014 on the ground of belated submission of the pro-forma application. Being aggrieved with, he has filed the instant application. As per the applicant, he had made the application in plain paper within a month from the date of death of his father. However, the respondents had taken time to provide him pro-forma format and subsequently he has filed the application.</i></p> <p><i>On perusal of the plain paper of the application, it is noted that the plain paper application of the applicant received on 18.01.2013 (Annexure 'B') therefore the applicant had already submitted plain paper application</i></p>	

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Form No.

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A.K.P.	<p><i>within stipulated period of time. Thus, as per settled law, the date of application in plain paper should be taken for the purpose of consideration of the case of the compassionate appointment. In view of the above, we quash and set aside the impugned order dated 23.12.2014 and remand back the matter to the respondent no. 1 to reconsider the case of the applicant treating the date of plain paper application and take a decision as per the provision of the Scheme of the Compassionate Appointment within a period of twelve weeks from the date of the receipt of the order.</i></p> <p>P. RAMESH KUMAR MEMBER (A) URMITA DATTA (SEN) MEMBER (J)</p>	