

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

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

Case No. **OA- 191 OF 2018**

**SMT RUPALI SARKAR & ANR. 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><u>01</u> 05.06.18</p>	<p>For the Applicants : Mr.S.N.Sakul Learned Advocate</p> <p>For the Respondent : Mrs.S.Bandhopadhyay Learned Advocate</p> <p>Affidavit of service filed on behalf of the applicants is kept on record. The applicants have prayed for direction upon the respondents to give appointment to the applicant No. 2 on compassionate ground.</p> <p>One Gopal Chandra Sarkar died on August 9, 1990 while working as Constable under the Superintendent of Police, Purba Bardhaman. He died leaving behind the applicant No.1 as his wife and the applicant No.2 as his minor son as legal heirs. Admittedly, the applicant No.2 was aged about one (1) year at the time of death of his father. In the month of December 2007, the applicant No. 2 submitted application for compassionate appointment after attaining majority. The grievance of the applicants is that the claim of the applicant No.2 for compassionate appointment is still pending for consideration of the respondents after lapse of almost eleven (11) years.</p>	

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	<p>Learned Counsel representing the respondents has placed on record copy of letter dated April 9, 2018 issued by the Deputy Secretary to the Government of West Bengal, Department of Home and Hill Affairs wherefrom it appears that the respondents rejected the claim of the applicant for compassionate appointment and the same was duly communicated under Department Memo. No. 3900-PL/PB/2P-590/14, dated September 9, 2016. A copy of the said letter dated September 9, 2016 has also been placed on record on behalf of the Respondents wherefrom it appears that the claim of the applicant for compassionate appointment was rejected on the ground of inordinate delay in submitting the application. On consideration of the fact that the application was submitted by the applicant No.2 after long lapse of seventeen (17) years from the date of death of his father indicates that there was no urgent financial crisis in the family of the deceased employee and as such the question of granting compassionate appointment to the applicant No. 2 does not arise. The claim of the applicant for compassionate appointment has been rightly rejected by the respondents. We do not</p>	

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BLR	<p>find any merit in the present application and as such the application is dismissed.</p> <p>Let a plain copy of the order be supplied to both parties.</p> <p><b>(S.K.Das)</b> <b>MEMBER(A)</b></p> <p><b>(R.K.Bag)</b> <b>MEMBER (J)</b></p>	