

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 - 215 of 2017****Bikiran Santra –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> 24.09.2018</p>	<p><i>For the Applicant : Mr. J. Abdin, Advocate.</i></p> <p><i>For the Respondents: None.</i></p> <p><i>The instant application has been filed praying for following relief:</i></p> <p><i>“(a) An order or direction do issue directing the respondent authority to give appointment to the applicant in the post of Group ‘D’ staff or any other suitable post under the Block Development Officer, Arambagh Block, Post office & Police Station – Arambagh, District – Hooghly, in consideration of the application of the applicant as died-in-harness compassionate ground.</i></p> <p><i>(b) An order do issue calling for the records of the case as to be conscionable justice.</i></p> <p><i>(c) One post should be kept vacant till the disposal of this application.”</i></p> <p><i>According to the applicant, his father died on 10th April, 2006 when he was minor. Thereafter his mother applied for compassionate appointment on 27.04.2006 and subsequently when the applicant became major he applied on 28.03.2014 for compassionate appointment in his favour as no action was taken</i></p>	

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A.K.P.	<p><i>by the respondent. Being aggrieved with, he has filed the instant application on 08.03.2017.</i></p> <p><i>The counsel for the respondent has raised preliminary issue on the point of limitation and the deceased employee died in 2006 and the instant application has been filed in the year 2015 only even the applicant submitted application for compassionate appointment after 8 years from the date of death of his father.</i></p> <p><i>Heard the parties and perused the records.</i></p> <p><i>It is noted that the father of the applicant died in the year 2006 and the applicant had submitted application for compassionate appointment in 2014. Even then he approached this Tribunal in 2017 only. Therefore, the application is hopelessly barred by limitation under the 21 of the Administrative Tribunal Act. Even after lapse of long time the purpose of the compassionate appointment has been frustrated. Accordingly, the instant O.A. is dismissed hopelessly barred by limitation.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	