

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal, Chairman****& The Hon'ble P. Ramesh Kumar, Member (A)****Case No OA - 429 of 2017****Prasanta Bera –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>9</u> 28.03.2019</p>	<p><i>For the Applicant: Mrs. S. Mitra, Advocate.</i></p> <p><i>For the Respondents : Mr. A De, Mr. A. Dutta, (Departmental Representatives) Land & Land Reforms Deptt.</i></p> <p><i>In this application, the applicant who had applied for compassionate appointment after the demise of his father Nolini Mohon Bera on 3rd April, 2010 while in service, has challenged the Memo dated 10th March, 2017 issued by the Sub-Divisional Land and Land Reforms Officer, Sadar, Paschim Midnapore on the ground that he has no authority to reject the application. It is submitted by Mrs. S. Mitra, learned advocate for the applicant that at best he could have recommended the rejection of the application before the higher authority and therefore, the action is illegal. We find that the submission of the applicant is correct. Therefore, Memo dated 10.03.2017 issued by the Sub-Divisional Land and land Reforms Officer, Sadar, Paschim Midnapore, that is the respondent No. 3, is set aside and quashed. The application is allowed. Accordingly, respondent No. 3 is directed to re-examine the issue in accordance with law and shall give his recommendation to the Secretary, Land and Land Reforms Department, Howrah i.e. respondent No. 1 within twelve weeks from the date of communication of this</i></p>	

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Prasanta Bera

Form No.

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A.K.P.	<p><i>order after making necessary enquiry. If such recommendation is positive, in that event, the Secretary, Land and land Reforms Department, that is respondent No. 1, shall pass appropriate order within twelve weeks thereafter. Accordingly the original application is disposed of.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>SOUMITRA PAL CHAIRMAN</p>	