

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

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

The Hon'ble Mr. P. Ramesh Kumar, Member (A)

Case No – OA-534 of 2016.Umesh Kanti 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
07 ----- 17-09-2018	<p>For the Applicant : Mr. Anand Farmania, Advocate.</p> <p>For the State Respondents : Mr. R. A. Chowdhury, Advocate.</p> <p>The Counsel for the respondents has filed the reply before the Court. As per the applicant, his father died on 08-04-1995 when he was minor. Thereafter he applied for compassionate appointment on 08-06-2010. However his case was considered and rejected vide order dated 05-01-2012. Being aggrieved with, he has filed the instant application. The Counsel for the respondents has raised the preliminary objection on the point of limitation as the rejection order was passed on 05-01-2012 and the applicant was approached this Tribunal on 16-05-2016 i.e. after 4(four) years. Moreover, the applicant father died in the year 1995 when he was minor but he approach the department after 15 years. However his mother</p>	

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	<p>is also a government employee. Therefore there is no question of dependence of financial assistance.</p> <p>Heard the parties and perused the records. It is noted that the applicant's father died in the year 1995 and he approach the department in 2010. However his candidature was rejected by letter dated 05-01-2012 holding inter alia :-</p> <p>“The prayer of the applicant has carefully been examined and it has been observed that the ex-employee died-in-harness on 08/04/1995 while the applicant was minor. On attaining the age of adulthood he has come up with a prayer to provide employment on compassionate ground after a lapse of more than 15 years. Most importantly wife of the deceased is a govt. service holder.</p> <p>Employment on compassionate ground is provided to meet up immediate</p>	

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Mihir	<p>need of financial assistance only which does not fulfil of this instant case. So the undersigned regrets to inform that the prayer of the applicant has been rejected by the competent authority”.</p> <p>The applicant has approached this Tribunal after 4(four) years. From the perusal of the aforesaid order it is crystal clear that the respondents has rightly rejected the candidature of the applicant since he approached the authority after 15 years. Moreover, his mother is also a government employee.</p> <p>Therefore, we are not in a position to entertain the instant application being hopelessly barred by limitation and there is no merit.</p> <p>Accordingly, the application is dismissed with no order as to cost.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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