

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-561 of 2018.Ashima Singha Chowdhury & Another 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>03</p> <p>-----</p> <p>29-11-2018</p>	<p>For the Applicant : Mr. K. Mukherjee, Advocate</p> <p>For the State Respondents : Mr. A. L. Basu, Advocate.</p> <p>The instant application has been filed praying for the following reliefs :-</p> <p>a) The Respondent Authority be directed to consider the representation dated 05-06-2018 of the applicant and communicate the decision to the applicants taking into consideration that the notification dated 3rd Day of December, 2013 issued by the Labour Department of the Government of West Bengal being no. 251-Emp has no relevance with respect to giving appointment in favour of the applicant no. 2 in died in harness category.</p> <p>b) The respondent authority be further directed to extend employment assistance in favour of the applicant no. 2 on compassionate ground under</p>	

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	<p>died in harness category.</p> <p>c) The Respondent Authorities be directed to produce and cause to produce the entire records relating to your applicant's case and as such production is being made to render conscionable justice after perusing the same.</p> <p>d) Any other or further orders as to which this Hon'ble Tribunal may deem fit and proper.</p> <p>However the Counsel for the respondent has submitted that from the perusal of the OA, it could be evident that his case considered in the year 2016 for the post of Constable but he was not found fit. Subsequently on the basis of his representation his case is under consideration before the department for the post of Computer Operator. However, as no decision has been taken till date, therefore the applicant has filed this instant application praying for consideration of his representation dated 05-06-2018 and to take a decision taking into consideration that 251-Emp dated 03-12-2013 has no effect. The Counsel for the respondent has submitted that with regard to the representation, first of all no decision has not yet been taken by the authority with regard to the subsequent representation for the post of Computer</p>	

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Mihir	<p>Operator. Further, he has filed this representation on 05-06-2018 only and has filed this instant application on 16-07-2018. Therefore the instant application is premature under Section 21 of the Administrative Tribunal Act and has prayed for dismissal of the OA.</p> <p>We have heard both the parties and perused the record. It is noted that the applicant has earlier considered but he was not found fit. However his case was under consideration by the authority for the post of Computer Operator but yet they have not taken any decision. In the mean time, the applicant again filed one representation dated 05-06-2018 and without waiting for the statutory period of 6 months, he has approached this Tribunal. In view of the above, the OA is dismissed being premature.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	