

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-599 of 2017.**Bhusan Singh Vs The State of West Bengal & Others.**

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<p>16</p> <p>-----</p> <p>15-01-2020</p>	<p>For the Applicant : Mr. Kamal Kanta Kar, Advocate.</p> <p>For the State Respondents : None.</p> <p>The instant application has been filed praying for a direction upon the respondents to consider for compassionate appointment of the applicant.</p> <p>As per the applicant, his father died on 21-09-2008 and made this application on 04-07-2017. On 23-11-2015 i.e. after expiry of seven years the applicant's mother Smt. Sarala Singh first applied for compassionate appointment for her son the applicant herein from the date of death of the ex-employee. Moreover, the applicant was minor at the time of death of his father.</p> <p>Though the State Respondents have filed their reply. However, the State</p>	

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	<p>Respondents have also vehemently submitted that this scheme of the State Government does not permit to consider the case of minor after a long time when he would get majority. Moreover, the applicant made a belated prayer in the year 2015 i.e. after lapse of 7(seven) years from the date of death of the ex-employee, as such, it cannot be proved that the family needs immediate financial assistance.</p> <p>We have heard for the applicant and perused the records. It is noted that the case of the applicant was rejected on the ground that as per the circular, the applicant who is minor at the time of the death of deceased government employee his case cannot be considered. It is settled principle of law the compassionate appointment has to be considered as per the provisions of scheme of the concerned department. Admittedly, the applicant was minor at the time of death of his father, moreover, his mother did not ever claim job in her favour,</p>	

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Mihir	<p>which fact was not denied by the applicant, thereafter, such action on the part of the applicant's family established the fact that they are not in an immediate need of economic assistance due to the death of his father. Since in the scheme of the department there is a specific provision for not to wait for a long period of time in case of minor and who applied for the compassionate appointment in 2015 only. Therefore the respondents have rightly rejected the claim of the applicant.</p> <p>In view of the above, the OA is dismissed being devoid of any merit 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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