

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 - 616 of 2016****Biswajit Saren –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 |
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| <p style="text-align: center;">14 30.07.2019</p> | <p><i>For the Applicant : Ms. S. Biswas, Advocate.</i></p> <p><i>For the Respondent : Mr. R.A. Chowdhury, Advocate.</i></p> <p><i>The instant application has been filed praying a direction upon the respondent to appoint the applicant on compassionate ground after condoning the delay to approach the authority for compassionate appointment. As per the applicant, his mother died on 15.09.1992 while he was only two years old. Subsequently, his father died on 31.08.2001. Thereafter, he applied for compassionate appointment on 19.10.2012 as no decision was communicated to him. He approached this Tribunal in OA – 1341 of 2014, which was disposed of on 25.01.2016 with a direction to the respondents to consider the case of the applicant and communication. In pursuance to that order, the respondents have rejected the claim of the applicant vide order dated 11.05.2016 hence the application. No reply has been filed. However, the counsel for the respondent has submitted that claim of the applicant was rightly rejected as he was two years of age at the time of death of his mother. Further, father of the applicant was a Central Government employee who died nine years after the death of the mother of the applicant. Therefore, there was no immediate need of financial assistance after the death of the mother of the</i></p> | |

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| A.K.P. | <p><i>applicant. It has been further submitted that the applicant made the application for compassionate appointment only in the year 2012 whereas he attained majority in 2008 as his date of birth is 1990. Therefore, the counsel for the respondent has prayed for rejection of the O.A.</i></p> <p><i>We have heard the parties and perused the records. It is noted that the claim of applicant was rejected vide order dated 11.05.2016 on the ground of minority as well as delay as the applicant approached the respondents after twenty years from the death of his mother. It is also noted that though respondents have rejected the claim of the applicant already however without challenging the same, he has prayed for direction upon the respondents to appoint him.</i></p> <p><i>In view of the above facts and circumstances, we do not find any reason to entertain the instant application as the main purpose of the compassionate appointment has been frustrated due to long lapse of time as the father of the applicant died after nine years from the date of death of his mother and was a Central Government employee. Accordingly, the O.A. is dismissed being devoid of merit.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p> | |