

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-646 of 2018.Pritam Majumdar 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
01 ----- 26-09-2018	<p>For the Applicant : Mrs. S. Agarwal , Advocate.</p> <p>For the State Respondents : Mr. S. Ghosh, Advocate.</p> <p>Affidavit of service is filed be kept on record.</p> <p>The instant application has been filed basically praying for a direction upon the respondents to take a decision with regard to the compassionate appointment. According to the applicant he had earlier prayed in OA-433 of 2017 for consideration of his compassionate appointment and this Tribunal vide order dated 22-06-2017 had directed the Director of Health Services to take a decision in this respect with regard to the compassionate appointment. However, though no compliance report of the said order was passed but the Director of Health Services had recommended the case vide order dated 18-10-2017 after being found</p>	

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	<p>him eligible and sent it to the higher authority for his approval but till date no final decision has been communicated to him since almost one year has lapsed. In the mean time the applicant approached before the Principal Secretary, respondent no. 1 for consideration of his case. However till date with no effect. The Counsel for the applicant has prayed for leave to make amendment in the prayer portion. Prayer is allowed.</p> <p>During the course of the hearing, the Counsel for the applicant has submitted that it would suffice the purpose of the applicant if the respondent no. 1, who is the competent authority to take a final decision with regard to the compassionate appointment, be directed to pass a reasoned and speaking order within a stipulated period of time. The Counsel for the respondents has no objection to that effect.</p> <p>Heard both the parties and perused the record. It is noted that the Director of Health Services vide his order dated 18-10-2017 had</p>	

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Mihir	<p>forwarded his recommendation for final approval to the competent authority which seems to be still pending before the said authority. Therefore the respondent no. 1 is directed to take a final decision with regard to the compassionate appointment taking into consideration the recommendation and other criteria as per Rule by way of reasoned and speaking order within a period of 8 weeks and to communicate the same to the applicant.</p> <p>Accordingly, the OA is disposed of with the above observations and direction with no order as to cost.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER(A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER(J)</p>	

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