

**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-775 of 2014****Babu @ Samir Kumar Dey –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 style="text-align: center;"><u>16</u> 18.03.2019</p>	<p><i>For the Applicant : None.</i></p> <p><i>For the Respondents : None.</i></p> <p><i>None for the parties. It is a case of 2014, even on second call also none appears for the applicant.</i></p> <p><i>It is noted that the instant application has been filed challenging the impugned order dated 12.02.2014 (Annexure G) whereby the prayer of the applicant for compassionate appointment was rejected on the ground that the applicant had applied in the prescribed pro-forma on 24.01.2012 i.e. after a lapse of two years from death of his mother. As per the applicant, his mother died on 31.10.2009. Thereafter, he applied for compassionate appointment in plain paper on 09.12.2009 (Annexure C). However, he had filed the pro-forma application on 24.01.2012 after getting the details of retiral benefit. However, the respondents have rejected his claim on the ground that he applied for compassionate appointment after two years.</i></p> <p><i>Being aggrieved with, he has filed the instant application. The respondents have filed their reply and they have categorically stated that the applicant applied for the</i></p>	

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A.K.P.	<p><i>compassionate appointment in 2009. The respondents have denied and disputed the contention of the applicant and he applied in plain paper on 09.12.2009. Since there is no receiving seal in the said application. However, the applicant had actually applied in prescribed pro-forma on 24.01.2012. Therefore, the respondents rightly rejected his claim. No rejoinder has been filed by the applicant.</i></p> <p><i>We have perused the records. It is noted that the respondents had rejected the claim of the applicant that he had approached the authority in 2012 only i.e. more than two years from the date of death of his deceased mother (employee). Even from the perusal of the said letter dated 09.12.2009 (Annexure C), it is noted that there is no receipt or seal of respondents which was not even controverted by the applicant by filing any rejoinder. We are agreeable with the contention of the respondents. Therefore, we do not find any reason to interfere with the impugned order. Accordingly, the O.A. is dismissed being devoid of any merit.</i></p> <p><b>P. RAMESH KUMAR MEMBER (A)</b></p> <p><b>URMITA DATTA (SEN) MEMBER (J)</b></p>	