

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-788 of 2016****Biswajit Gope –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>9</u> 18.03.2019</p>	<p><i>For the Applicant : None.</i></p> <p><i>For the Respondents : Mr. B.P. Roy, Advocate.</i></p> <p><i>None for the applicant. It is noted that earlier occasion also none appeared for the applicant. Today also on second call none appears.</i></p> <p><i>The instant application has been filed challenging the impugned order dated 11.05.2015 whereby the prayer of the applicant for compassionate appointment has been rejected on the ground that the applicant had applied for the compassionate appointment beyond two years as per the Scheme of the department.</i></p> <p><i>As per the applicant, the father of the applicant died on 29.09.2009. Thereafter the applicant applied on 01.08.2011 in prescribed pro-forma (Annexure B). However, subsequently the respondent had rejected his claim on the ground filing the application beyond the stipulated period of time. However, as per the applicant, the respondent failed to realise that the applicant is otherwise eligible for employment. Therefore, he has prayed for quashing of the impugned order dated 11.05.2015. The respondents have filed reply today.</i></p>	

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Form No.

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A.K.P.	<p><i>As per the counsel for the respondent, his case has been rightly rejected on the ground beyond the stipulated period as the father of the applicant died in 2009 and he applied for the compassionate appointment in 2011.</i></p> <p><i>We have heard the counsel for the respondent and perused the records. It is noted that the applicant himself has admitted that he has applied for compassionate appointment in 2011 whereas his father died in the year 2009. Therefore, it is settled principle of law that the case of compassionate appointment is to be considered as per the scheme of the department as the department has specific time frame for considering the case of appointment and the main purpose of the consideration of the case of compassionate appointment is to support the sudden financial crisis of the deceased employee. Therefore, as admittedly the applicant has approached the respondent after considerable time. Therefore, in our considered opinion, the respondents rightly rejected the case of the applicant. We do not find any merit to entertain the instant O.A. Accordingly, the O.A. is dismissed being devoid of any merit.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	