

**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-899 of 2018.Abanti Kumar Sahoo. 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 <hr/> 18/01/2019	<p>For the Applicant : Mr. Gouranga Kumar Das, Advocate.</p> <p>For the State Respondents: Mr. Sankha Ghosh, Advocate.</p> <p><i>The instant application has been filed praying for following relief;</i></p> <p><i>“(i) To direct the respondents to give an appointment on compassionate ground in respect of Group “D” post under the Irrigation and Water Ways Department, Government of West Bengal in terms of the order dated 03.02.2015 passed by the director of personnel ex-officio, chief engineer, irrigation and water ways directorate.</i></p> <p><i>(ii) To direct the respondents and/or Agents and/or their subordinates to produce all records relating to the applicants case so that conscionable justice may be done by this Hon’ble Tribunal.”</i></p> <p><i>As per the applicant, after the death of his father, he approached the authority for</i></p>	

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	<p><i>compassionate appointment. As per the applicant, the lower authority have considered his case and referred to higher authority for final decision. But, till date no final decision has been taken. Therefore, the applicant approached this Tribunal as well as also made detailed representation before the Secretary, Department of Irrigation &amp; Waterways on 28.03.2018, which is still pending for decision with regard to his compassionate appointment. Being aggrieved with he has filed the instant application. During the course of hearing, the counsel for the applicant has submitted that it would suffice his purpose if the Secretary, Department of Irrigation &amp; Waterways would be directed to take final decision with regard to the compassionate appointment by way of reasoned and speaking order and communicate the same within a stipulated period of time. The counsel for the respondent has no objection to such proposition.</i></p> <p><i>Heard the parties and perused the records. It is noted that the case of the applicant for compassionate appointment is still pending before the highest authority for his approval. Therefore, in our opinion, there is nothing to adjudicate as no decision has been taken by the authority till date.</i></p> <p><i>In view of the above, the Secretary,</i></p>	

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GM	<p><i>Department of Irrigation &amp; Waterways is directed to take a decision with regard to the compassionate appointment of the applicant and communicate the same by way of a reasoned and speaking order within a period of six (06) weeks from the date of receipt of this order. Accordingly, the OA is <b>disposed of</b> as no order as to cost.</i></p> <p><b>P. RAMESH KUMAR MEMBER(A)</b>                      <b>URMITA DATTA (SEN) MEMBER(J)</b></p>	