

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-1013 of 2018

Serial No. and Date of order	Fajle Haque For the Applicant	: Mr. . M. Islam, Learned Advocate.
<u>11</u> 21.09.2022	For the State Respondents	: Mr. S.N. Roy, Learned Advocate

In this application the applicant prays for setting aside the impugned order dated 12.10.2018 of the respondent in which the application for compassionate employment was rejected on the ground that the deceased employee was a Work Charged employee. According to the rules, legal heirs of Work Charged employees are not entitled for compassionate employment.

Mr. Roy supporting the reason given by the respondent also submits that as the Hon'ble Apex Court has pronounced a judgement in this regard. Submission is that the Notification 251-Emp dated 03.12.2013 also submits that para 3 (f) of the Notification, compassionate employment is not offered to legal heirs of deceased employees who were working on daily wages or casual or adhoc or contract basis.

Learned counsel for the applicant submits that the rejection was made whimsically by passing the impugned order.

After hearing both the learned advocates and considering the facts and circumstances of the case, it is the finding of this Court that there is no merit presented by the applicant praying for setting aside the impugned order. It is evident that since the scheme for compassionate employment as

Fajle Haque

Vs.

The State of West Bengal & Ors

cited above, does not have any provision for offering compassionate employment to the legal heirs to deceased employees who worked as contractual or Work Charged basis.

Accordingly, the matter is disposed of.

SAYEED AHMED BABA
MEMBER (A)

sc