

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 151 of 2023

Md. Selim Seikh -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal, Ld. Advocate.

For the State Respondents : Mr. S. N. Ray, Ld. Advocate.

05
15.07.2024

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The prayer for compassionate employment was not considered by the respondent authority on the ground that the applicant could not produce copies of any authenticated papers for such employment. As per Rules, the applicant was required to furnish such an application before the respondent authorities within two years from the date of death of the employee. The plain paper application and the pro-forma application as shown before the respondents were not considered as valid for the reason that these papers do not have any acknowledgement from the respondent's side. The employee had deceased on 27.10.2006 and these unauthenticated applications were submitted in the month of August, 2012.

After hearing the submissions of the learned counsels and on examination of the records, the Tribunal finds that whether authenticated or unauthenticated, submission of such an application has been claimed by the applicant which was after six years from the date of death of the deceased employee. It transpires from the submissions and the records that at the time of death of his father on 27.10.2006, the applicant was a minor. Further, from the copies of the plain paper applications so submitted as claimed by the applicant does not seem to have been received and acknowledged by the office of the respondent. So far the guidelines for the scheme are to be followed, not only the applicant was to have attained the age of appointment within two (02) years from the date of the deceased employee, but should have also made such an application within this time. After examination of the records, it is clear to the Tribunal that the applicant has failed on both these two fronts: neither he had attained the age of employment within two (02) years from the death of his father nor had he submitted any valid application within the permissible time. In view of the above observations, the Tribunal finds this application is devoid of any merit and is thus **disposed of** without passing any order.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)