

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 181 of 2022.

SMT. SOMA GHOSH - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

09
13.5.2024

For the Applicant : Ms. C. Bose,
Learned Advocate.
For the State Respondents : Mr. S. Ghosh,
Learned Advocate.

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.

On consent of the learned counsel for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed today be kept on record.

The prayer in this application is for setting aside the impugned order passed by the respondent No.2 – the Director of Health Services passed on 25.02.2022 rejecting the prayer of the applicant for employment on compassionate ground. The Tribunal finds in the reasoned order the respondent authorities recorded that the deceased employee had died on 10.02.2000 and on 22.02.2000 the applicant had furnished her application in prescribed format before the respondent authorities. However, confusion arises with another para in the reasoned order which rejects such prayer on the ground that there was *“inordinate delay of 17(seventeen) years caused by the applicant in approaching the fountain of justice, moreover the applicant also made no further prayer for reconsideration of her matter before state authority after it was rejected on 15.12.2000”*.

The vague and contradictory terms used by the respondent authority in the reasoned order compels the Tribunal to direct the respondent no. 2 – the Director of Health Services to furnish a reply before this Tribunal positively by the next date. Mr. Ghosh, learned counsel assures that such clarity will be presented either through

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oral submission or through reply by the next date.

Let the matter appear under the heading "Hearing" on 05th August, 2024.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Skg.

WEST BENGAL ADMINISTRATIVE TRIBUNAL