

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- 434 of 2022****Krishna Hemrom VERSUS – The State of West Bengal & Ors..**

Serial No. and
Date of order

For the Applicant :

Mr. D.K. Mukherjee,
Learned Advocate.

05
11.05.2023

For the State
Respondents :

Mr. G.P. Banerjee,
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 learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for the direction to the respondent authority to given compassionate employment to the applicant.

Bapai Hembrom, a Resham Karmee working in Uttar Dinajpur died in harness on 29.09.1996. At the time of his death, the son, the applicant was a minor of two years only. Later when the applicant reached the age of majority, he submitted an application before the respondent authority for compassionate employment on 28.09.2012. Submission of Mr. Mukherjee is that since then the respondent authority has not considered the application. Being aggrieved by non action on the part of the respondents, the applicant has filed this application in this Tribunal on 05.07.2022.

After considering the submissions of the learned advocates and facts and circumstances of the case it is the opinion of the Tribunal that firstly, the rule relating to compassionate employment does not permit consideration of any application for compassionate employment submitted after a lapse of five years. In this case, it is clear, such an

application was filed by the applicant after more than 16 (sixteen) years. Moreover, the applicant approached this Tribunal for redressal in the year 2022. Therefore, it is barred by limitation and thus, the application is not admissible. Accordingly, the application is disposed of without orders.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

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