

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- 162 of 2017.****Sk. Abdul Rob & Others. 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
<p>15</p> <hr/> <p>23/09/2019</p>	<p>For the Applicant : Mrs. M. Dhar Chowdhury, Ld. Advocate.</p> <p>For the State Respondents: Mr. M.N. Roy, Ld. Advocate.</p> <p>The application has been filed praying for a direction upon the respondents for compassionate appointment of the applicant. The counsel for the applicant has submitted that the father of the applicant had prayed for voluntary retirement on medical ground due to medically incapacitated for various ailments. The counsel for the applicant has also stated that he made representation before the authority on 30.09.16 and 18.11.16 and prayed for appointment on compassionate ground to the applicant No.2 Sk. Hayat Ali son of the Government employee due to his medically incapacitation.</p> <p>The counsel for the respondent has filed reply and has submitted that there is no provision of compassionate appointment in case of voluntary retirement. Compassionate appointment is considered only in case of death or medically unfit person declared by the proper medical board. Therefore, the respondents has rightly rejected the claim of the applicant</p>	

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GM	<p>We have heard both the parties and perused the records. As the applicant's father took voluntary retirement on medical ground and as he was not made to retire under medical incapacitation or being declared medically unfit, automatically the applicant is not eligible as there are no rules / notification / G.Os in regard to compassionate appointment to the children of the person who took voluntary retirement. Therefore, in our considered view, we do not find any merit in the instant application. Accordingly, the OA is dismissed with no order as to costs.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	