



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

CALCUTTA BENCH.

Application under Section 19 of the Administrative
Tribunal Act, 1985.

O. A. No. 350/1358 of 2018.

In the matter of :

Tapas Bagdi, Son of Late Dhiren

Chandra Bagdi, of Village

Kankardanga, Post Office

Hatkrishnanagar, Police Station

Patrasylar, District Bankura, Pin-7

..... Applicant.

Versus

1. Union of India, service through

the Secretary of Ministry of

Finance, Aaykar Bhavan, New

Delhi. -- 110001

2. The Chief Commissioner of

Income tax, Aaykar Bhavan, P-7,

Chowringhee Square, Kolkata-

700 069.

3. Assistant Commissioner of
Income Tax, Headquarters
(Personnel & Establishment),
Kolkata, O/o. the Principal Chief
Commissioner of Income Tax,
West Bengal, and Sikkim, Aaykar
Bhavan, P-7, Chowringhee
Square, Kolkata-700 069.

... .. Respondents.

- 3 -
CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A/350/1358/2018

Date of Order: 21.12.2018

Coram: Hon'ble Mr. A.K Patnaik, Judicial Member

Tapas Bagdi -vs- UOI & Ors.

For the Applicant(s): Mr. N.Roy, Counsel

For the Respondent(s): Mr. B.P.Manna, Counsel

ORDER (ORAL)

A.K Patnaik, Member (J):

Heard Ld. Counsel for both the parties, in extenso.

2. This O.A. has been filed under Section 19 of the Administrative Tribunals Act, 1985 with the following prayers:

"8.(a) To pass order directing the respondents to consider the applications of the applicant dated 18.10.2012 and 15.06.2018 for providing him compassionate appointment within the specified period of time as the Hon'ble Tribunal may deem fit and proper;

(b) An order be passed directing the respondents to consider the representations of the applicant dated 18.10.2012 and 15.06.2018 forthwith;

(c) Costs;

(d) Any other or further other order or orders be passed as this Hon'ble Tribunal may deem fit and proper."

3. The brief case of the applicant as enumerated by the Ld. Counsel for the applicant is that the applicant's father, who was posted as Tax Assistant in the office of the Commissioner of Income Tax, Burdwan, died on prematurely on 30.8.2012 leaving behind his wife, one unmarried daughter and one son. The applicant on 18.10.2012 filed an application, for providing him compassionate appointment, enclosing his educational qualification on the sudden death of his father, who was the sole bread earner of the family. On his repeated approach, after

all

a long period the respondent No.3 by his letter being F. No. PCCT/WB&S/Pers./07/5E/10/Comp. Apptt./Genl:2016-17/1308 dated 28th May, 2018 informed the petitioner that it had been decided to consider the applicant for appointment on compassionate ground against the vacancies for the recruitment year 2015-16 and 2016-17 subject to recommendation by the Selection Committee constituted for this purpose. For the purpose of the selection process the applicant was asked to furnish the detailed information as per proforma enclosed with the said letter. Thereafter, the applicant filled up the said Proforma with the required particulars as were asked to be furnished with the said application and deposited the same in the office of the respondent No.3 on 15.06.2018. Mr. N.Roy, Ld. Counsel for the applicant pinpointedly brought to my notice the directions issued under Annexure-A/2 by the Respondents and submitted that in obedience to the direction made under Annexure-A/2 communication, the applicant has already submitted his proforma to Respondent No.2 but till date no action has been taken to grant the benefit of compassionate appointment.

4. Having heard Ld. Counsel for both the parties, without going into the merit of the matter and without waiting for reply, I dispose of this O.A. by directing Respondent No. 2 that if the proforma, as directed, has been submitted by the applicant and the same is still pending consideration, the same may be considered as per rules and regulations in force and if the applicant's case is found to be eligible to get appointment under compassionate appointment quota then necessary steps be taken within a further period of three weeks to grant the benefit of compassionate appointment.

5. With the aforesaid observation and direction, this O.A. stands disposed of at the admission stage. No costs.



-5-

6. As prayed for by the Ld. Counsel for the applicant, copy of this order, along with paperbook be transmitted to Respondent No. 2 by Speed Post, for which, he undertakes to deposit the cost with the Registry within a week.

7. Copies of this order be handed over to the Ld. Counsel for the parties.

(A.K Patnaik)
Member (J)

RK/PS