

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – O.A. 989 of 2020

**AMLAN ROY Vs The State of West Bengal & Ors.**

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>5</p> <hr/> <p>02.12.2020</p>	<p>For the Applicant : Mr. S. Ghosh, Advocate</p> <p>For the Respondent : None</p> <p>Despite service of notice none appears on behalf of the respondents.</p> <p>In this application, Amlan Roy, the applicant has prayed for a direction upon the respondents to give promotion to the post of Assistant Director, ARD (AR Wing) under the Animal Resources Development Department, West Bengal on and from 30<sup>th</sup> May, 2016 and to fix his pay at pay band 4A and to fix the seniority.</p> <p>It is submitted by Mr. S. Ghosh, learned advocate for the applicant since the applicant was not selected for promotion to the post of Assistant Director to ARD as evident from the order dated 30<sup>th</sup> May, 2016 though his name is against serial no.16 in the Gradation List, being Annexure “P-15”to “”P-17” of the application and as his juniors have been promoted,</p>	

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	<p>appropriate order may be passed granting relief.</p> <p>Submission is the applicant has been informed of not being selected for promotion as he was not found suitable as his ACRs were found to be average for the period 2009-10, 2010-11, 2011-12 and 2012-13. It is submitted that pursuant to an application under Right to Information Act, 2005 the applicant has been informed that for the period from 2009-2010, 2010-2011, 2011-2012 and 2012-2013 the ACRs were initiated by one Rabindranath Mondal, Joint Director, ARD, who according to the applicant was not competent to initiate the issue and accordingly the denial of promotion is uncalled for and illegal. Submission is since a representation dated 16<sup>th</sup> July, 2019 has been furnished before the Principal Secretary to the Government of West Bengal, Animal Resources Development Department, Kolkata, the respondent no.1, appropriate order may be passed for consideration of the same.</p> <p>Having heard Mr. Ghosh and considering the facts and circumstances of the case, the application is disposed of by directing the Additional Chief Secretary, Department of Animal Resources Development, Government of West Bengal, Kolkata, the respondent no.1, to give a reply to the representation dated 16<sup>th</sup> July, 2019 appearing at page 13 of the Original Application within eight weeks from the date of</p>	

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SCN.	<p>presentation of a copy of this order downloaded from the internet / website after considering annexure 'F' to the Original Application, appearing at pages 35 and 36 of the Original Application.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	