

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Dr. Subesh Kumar Das**

Case No – **OA 169 OF 2018**

**Prabir Kumar Roy** Vs **The State of West Bengal & Ors.**

| Serial No. and Date of order.<br>1                                 | Order of the Tribunal with signature<br>2  | Office action with date and dated signature of parties when necessary<br>3 |
|--|--|--|
| <p style="text-align: center;"><b>01</b><br/><b>18.04.2018</b></p> | <p><b>For the Applicant</b> : Mr. S. Giri,<br/>Learned Advocate.</p> <p><b>For the Respondents</b> : Mr. A.L. Basu,<br/>Learned Advocate.</p> <p>The applicant retired from Government service and got contractual reemployment as Sub-Inspector, in the Department of Food &amp; Supplies, Government of West Bengal by virtue of order dated August 25, 2017 issued by the Deputy Director of Rationing, Kolkata North Division. The applicant was appointed on contractual basis after retirement for a period of one year with effect from the date of his joining or till attaining the age of 65 years whichever is earlier.</p> <p>The contention of the applicant is that he got the order of reemployment after prolonged delay and thereby he was deprived of the opportunity to serve for a period of 4 (four) months as he has already attained the age of 65 years.</p> <p>Having heard Learned Counsel representing both parties and on consideration of Memo. No. 6093-F (P) dated November 25, 2016 issued by the Special Secretary to the Government of West Bengal, Department of Finance (Audit) and letter dated August 11, 2017 issued to the Director, Directorate of Rationing, Department of Food &amp; Supplies, Government</p> |  |

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of West Bengal by the Assistant Secretary to the Government of West Bengal, we find that the Government employee cannot work on contractual basis by way of reemployment beyond the age of 65 years. Since the applicant has attained the age of 65 years, the representation submitted by the applicant cannot be considered by the state respondents for extending period of contractual service of the applicant on reemployment beyond the age of 65 years. As a result, the original application is **dismissed**.

The urgent xerox certified copy of the order may be supplied to the parties on priority basis, if applied for, after compliance of necessary formalities.

**( S.K. DAS )**  
MEMBER(A)

**( R. K. BAG )**  
MEMBER (J)

Sanjib