

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 355 OF 2019

Jitendra Nath Mondal 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
07 25.07.2019	<p>For the Applicant : Mr. A.K. Neogi, Learned Advocate.</p> <p>For the Respondent : None.</p> <p style="text-align: center;">Affidavit of service filed on behalf of the applicant today is kept on record.</p> <p style="text-align: center;">The applicant has prayed for direction upon the respondents for fixation of pay of the applicant as Rs.15,430/- with effect from the date when his junior Md. Sirajul Haque got the said pay.</p> <p style="text-align: center;">It appears from the materials on record that the applicant joined as Forest Guard on April 29, 1979 and appointed as Forester in the year 1982. He got benefit of Career Advancement Scheme for completion of 16 years of service and thereafter got promotion as Forest Ranger w.e.f. October 7, 2005. The contention of the applicant is that one Sirajul Haque joined as Forester on January 15, 1983 and got promotion to the post of Forest Ranger on July 1, 2010 after getting benefit of Career Advancement Scheme for completion of 25 years of service. The applicant submitted representation before the Divisional Forest Officer, Birbhum Division which was duly forwarded to the Chief Conservator of Forests, Personal</p>	

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Management Cell, West Bengal. The respondent no. 2, Chief Conservator of Forests, Personal Management Cell, had moved the Department of Forests by sending a letter to the Principal Secretary to the Government of West Bengal, Department of Forests on February 22, 2012. The grievance of the applicant is that no action has been taken on the said letter dated February 22, 2012 till date. The applicant in the meantime retired from service on July 31, 2014.

None appears on behalf of the state respondents in spite of service of notice as reflected from the affidavit of service filed by the applicant. Since the issue of pay protection of the applicant is pending for decision before the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Forests from the year 2012, we are of the view that the respondent no. 1 should take a decision with regard to pay protection of the applicant within a reasonable period of time.

In view of our above findings, the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Forests is directed to take decision whether the applicant is entitled to get pay protection from the date on which his junior one Sirajul Haque got higher pay as Forest Ranger on the basis of letter dated February 22, 2012 issued by the Chief Conservator Forests, Personal Management Cell, West Bengal

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by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of the order and to communicate the result of the same to the applicant within a period of 8 (eight) weeks thereafter.

The original application is, thus, **disposed of.**

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib