

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 56 OF 2019

Jainal Abedin 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
02 05.03.2019	<p>For the Applicant : Mrs. S. Mitra, Learned Advocate.</p> <p>For the Respondent : Mr. S. Bhattacharjee, Nos. 1,3,5,6 & 7 Departmental Representative.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicant has prayed for direction upon the respondents for granting him benefit of Grade-I scale of pay with retrospective effect and other ancillary reliefs.</p> <p>It appears from the materials on record that the applicant was entitled to get pay of Rs.1920/- instead of Rs.1040/- w.e.f. April 30, 1990. This order of granting pay to the applicant @ Rs.1920/- w.e.f. April 30, 1990 was issued by the Sub-Divisional Land & Land Reforms Officer, Rampurhat on September 13, 1991. There is nothing on record to indicate when the applicant was entitled to Grade-I scale of pay. The applicant did not ventilate his grievances for not getting Grade-I pay after his retirement from service on August 31, 1996. The applicant received the pension in due course and claim to have submitted representation for granting Grade-I pay on March 12, 2002 (Annexure-D to the original application). On close scrutiny of the said letter dated March 12, 2002 addressed to the Director of Land Records & Surveys and Joint Land Reforms</p>	

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Commissioner, West Bengal, we find that there is no endorsement and official seal of receiving the said letter in the office of Director of Land Records & Surveys and Joint Land Reforms Commissioner, West Bengal. Naturally, we are unable to accept the contention that the applicant really submitted any representation before the concerned authority on March 12, 2002 for claiming benefit of Grade-I pay. There is nothing on record to indicate that the applicant has approached the respondents for granting him Grade-I pay during the period of almost 22 years i.e. from the date of retirement from service on August 31, 1996 till the date of filing of the present application before the Tribunal on January 25, 2019. This inordinate delay in almost 22 years in approaching the Tribunal has not been explained by the applicant either in the present application or by filing separate application under section 21 (3) of the Administrative Tribunals Act, 1985. We are, therefore, constrained to hold that the present application is miserably barred under section 21 of the Administrative Tribunals Act, 1985. The original application is, thus, **dismissed**.

Let a plain copy of this order be supplied to both parties.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib

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