

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

Case No – **OA 656 OF 2016**

**Subir Kumar Ghosal** 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 style="text-align: center;"><b>09</b> <b>28.06.2018</b></p>	<p><b>For the Applicant</b> : Mr. A.K. Das Sinha, Learned Advocate.</p> <p><b>For the Respondents</b> : Mr. S. Bhattacharjee, Mr. A. Datta, Deptl. Reps.</p> <p>The applicant joined in the post of Lower Division Clerk in the establishment of District Land &amp; Land Reforms Officer, North 24-Parganas on February 6, 1975. The applicant was suspended during the period from November 8, 1995 to June 12, 2011 for pendency of the criminal case against him. By order dated June 30, 2011 issued by the respondent no. 3 the period of suspension of the applicant was treated as on duty as he was acquitted of the charge by the Criminal Court. The applicant retired from service on June 30, 2015 after serving in the post of Head Clerk. The applicant has prayed for direction upon the respondents to grant him pay and allowances for the post of Upper Division Clerk w.e.f. January 1, 1995 and also scale of pay and allowances of Head Clerk w.e.f. May 28, 2015 till the date of superannuation and other consequential service benefits.</p> <p>Reply submitted by the state respondents indicates that the applicant submitted application for revision of pay fixation and consequently revision of pension which was done by the respondent no. 4 by</p>	

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issuing order on February 22, 2017. It appears from the said order dated February 22, 2017 (Annexure-R1 to the original application) that the applicant got the benefit of promotion as Upper Division Clerk w.e.f. April 1, 1995, as the applicant exercised option to avail of the benefit of promotion w.e.f. April 1, 1995, so that he can get annual increment in scale of pay as Lower Division Clerk on April 1, 1995 and thereafter get the benefit of promotion as Upper Division Clerk on the same date. The respondent no. 4 has also given the benefit of pay fixation of the applicant as Head Clerk w.e.f. May 28, 2015 which is the prayer of the applicant in the present application. We are informed that the revised pension has also been issued in favour of the applicant on the basis of refixaiton of pay of the applicant on the basis of order issued by the respondent no. 4 on February 22, 2017.

In view of our above findings, we can safely hold that the applicant has received financial benefits for which the applicant filed the present application before the Tribunal. Accordingly, the present application stands **disposed of**.

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

Sanjib

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

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

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