

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 678 OF 2016**

Samarendra Chakraborty & Ors. 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
09 <hr/> 11.07.2018	<p>For the Applicant : Mr. M.N. Roy, Mr. G. Halder, Learned Advocates.</p> <p>For the Respondents : Mr. R.A Chowdhury, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicants worked as Computers in DE Cells of different blocks of West Bengal from the year 2004 to the year 2007. The applicant no. 1 retired from the post of Computer on November 30, 2004 while applicant no. 2 retired from the post of Computer on February 28, 1997 and applicant no. 3 retired from the post of Computer on January 31, 2007. The applicants have prayed for fixation of pay on the basis of Memo. No. HCR-Tech/41M-12-2006/244 dated March 27, 2009 issued by Director of Health Services, West Bengal on the ground that the applicants have not got any promotion during their entire career. The state respondents have taken the specific plea in the reply that the applicants got promotion during their career and as such, they are not entitled to get any financial benefit on the basis of order dated March 27, 2009 issued by Director of Health Services, West Bengal. We have also considered status report submitted on behalf of AG (A&E), West Bengal wherein the respondent, AG (A&E), West Bengal has specifically stated that the</p>	

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applicants got promotion during their career.

Having heard Learned Counsel for the applicants, Learned Counsel for the state respondents and the departmental representative of AG (A&E), West Bengal, we direct the respondent no. 2, Director of Health Services, Government of West Bengal to decide the entitlement of the applicants to get financial benefits on the basis of order dated March 27, 2009 within a period of 12 (twelve) weeks from the date of communication of the order and to communicate the same to the applicants within a period of 2 (two) weeks thereafter.

With the above direction, the original application stands **disposed of**.

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib