

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

Case No. – MA-18 of 2020 (OA-608 of 2019)

Arun Kumar Khanra VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. M.N. Roy, Mr. G. Halder, Mrs. S. Agarwal, Learned Advocates.
<u>08</u> 22.02.2022	For the State Respondent	:	Mr. G.P. Banerjee, Mr. B.P. Roy, Learned Advocates.

For the Pr. A.G.W.B. : Mr. B. Mitra.

The instant application has been filed praying for condonation of delay in filing the instant OA-608 of 2019. As per the applicant, he promoted from 01.03.2010 and subsequently retired on 31.03.2013. In the meantime, some similarly circumstanced applicants had filed one OA-147 of 2003 praying for extended benefit of pay scale with a grade pay of Rs. 3900/-. The applicant made representation before the authority on 11.05.2018 along with others.

As per the applicant, as per the order dated 19.02.2009 being similarly circumstanced persons, he is supposed to get extension of the said judgement. However, since it was not extended to him, he made representation before the authority. Therefore, there is some delay in filing the instant application. He has prayed for condonation of delay of the instant application since it is a continuous cause of action as his pension has been fixed at a lower scale of pay.

The counsel for the respondent has raised objection to allow MA.

Heard both the parties and perused the records. It is noted that the order dated 19.02.2009 passed in OA-147 of 2003 has settled the issue which was implemented by the respondents without referring any appeal and since he is getting lesser pension and having a arguable case on merit, the MA is allowed.

Since the circumstances beyond control, the Registry is unable to

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furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

URMITA DATTA (SEN)
MEMBER (J)

SC

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