

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Officiating Chairperson and Member (J).**

**Case No. OA – 172 of 2021**

**Rakhahari Majhi - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No.  
and  
Date of order  
5  
09.09.2022

For the Applicant : Mrs. S. Agarwal,  
Advocate

For the State Respondents : Mr. S. K. Mondal,  
Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536 – WBAT / 2J-15/2016 dated 26<sup>th</sup> August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The instant application has been filed praying for enhancement of remuneration of the applicant. As per the applicant, he was initially engaged as generator operator and thereafter he is working as sweeper. However, his remuneration has been enhanced.

However, the counsel for the respondent has raised preliminary objection with regard to the maintainability of the applicant and has drawn my attention to the Memo dated 20.03.2012, whereby applications were invited from suitable candidates for the different posts including the post of sweeper by the Secretary, District Health & Family Welfare Samiti, Bankura. Therefore, as per the respondent, this court does not have any jurisdiction over the same.

In view of the above, the counsel for the applicant has submitted that he wants to withdraw the application with a liberty to approach the appropriate forum.

Accordingly, the O.A. is dismissed as withdrawn with a liberty to approach the appropriate forum, if so advised.

A.K.P.

URMITA DATTA (SEN)  
Officiating Chairperson and Member (J)