

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 – 316 of 2022

Tumpa Talukder & Others - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicants : Mr. M.N. Roy,
and Advocate

Date of order

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13.09.2022

For the State Respondents : Mr. G.P. Banerjee,
Mr. S. Ghosh,
Advocates

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

The counsel for the applicant today has drawn my attention to the order dated 03.08.2022, whereas there is inadvertent typographical mistake with regard to the 10th line of the second paragraph, wherein in case of **re-fixation**, it has been typed as **refund**. In view of the above, let the 10th line of the second paragraph of order dated 03.08.2022 be read as **re-fixation** in case of **refund**. However, it has been submitted by the applicant that the Health Secretary vide his order dated 25.10.2021 had already observed that a file had already been initiated in relation to the refund of pay scale from Pay Band-2 to Pay Band-3 as per ROPA 2009 for nursing staffs of the State designated as Health Assistant (Female) and/or ANM, which is presently lying with Finance Department. Even on 03.08.2022, the State Respondent had asked for time to get instruction from the Finance Department. However, till date, no decision has been communicated.

The counsel for the respondent has prayed for further time as he has no instruction in this regard. Therefore, Additional Chief Secretary, Finance

ORDER SHEET

Form No.

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THE STATE OF WEST BENGAL & ORS.

Department is directed to take decision and communicate his decision before this court through the counsel for the respondent by the next date positively, otherwise appropriate order will be passed.

Registrar is directed to serve copy to the Additional Chief Secretary, Finance Department.

Let the matter be listed on **09.11.2022** under the heading '**Admission Hearing**'.

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

A.K.P.