

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. OA – 564 of 2016

Ujjwala Basu & Others - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>21</u> 16.06.2022	For the Applicants	: Mr. B. Chakraborty, Mrs. S. Agarwal, Advocates
	For the Respondents	: Mr. S.N. Ray, Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 354 – WBAT / 2J-15/2016 dated 18th May, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

With the consent of all the parties, the matter has been taken up for hearing.

The instant application has been filed praying for a direction to the respondents to grant Scale No. 12 under ROPA Rule 1990 and / or correspondence scale of pay under the subsequent ROPA to the applicants on and from the date of their promotion to the post of Chief Inspector. As per the applicants, they were initially appointed as Sub-inspector and subsequently promoted to the post of Inspector and Chief Inspector on different dates. It has been submitted that some Inspectors of the instant department had moved one writ petition before the High Court, which was subsequently transferred to this Tribunal in T.A. No. 987 of 1996 and was disposed of vide order dated 10.07.1997, whereby granting the benefit of Scale 10 to the Inspectors. However, as per the applicants, since the post of Chief Inspector is promotional post to the post of Inspector and they are getting the Scale 10, therefore, the applicants, being in a promotional post, would get the subsequent scale. In this regard, they have submitted one representation dated 27.04.2016 before the Commissioner of Food & Principal Secretary, Food & Supplies Department

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(Annexure P-6) for consideration, which is still pending before the said authority. Therefore, as per the applicants, it would suffice their purpose if the Secretary, Food & Supplies, Department be directed to consider the case of the applicant treating this O.A. as a part of it, after granting an opportunity of hearing to the applicants, within a stipulated period.

During the course of the hearing, the counsel for the respondent has no objection to such proposition.

In view of the above, the Commissioner of Food & Principal Secretary, Food & Supplies Department is directed to dispose of the representation dated 27.04.2016 treating this O.A. as a part of it and communicate his decision by way of a reasoned and speaking order after granting opportunity of hearing to one of the representative of the applicants within a period of twelve weeks from the date of receipt of the order. Accordingly, the O.A. is disposed of with no order as to costs.

**URMITA DATTA (SEN)
MEMBER (J)**

A.K.P.