

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

**Case No. –OA 584 of 2022**

**Anjan Ray Chaudhury - VERSUS - The State of West Bengal & Ors.**

Serial No. and  
Date of order

4  
29.09.2022

For the Applicant : Mr. M.N. Roy,  
Mr. G. Halder,  
Learned Advocates.

For the State Respondents : Mr. S. N. Ray,  
Learned 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 following reliefs :

- (a) “ An order do issue directing the concerned respondent authorities to forthwith pre-pone/ante date the benefit of promotion through CAS from State-II (AGP 7000/-) to stage-III (AGP 8000/- on and from 19.11.2012 (which was actual date of promotion through CAS) instead of 28.08.2014, since your applicant already obtained required API score in Category-III and thereafter from Scale-III to scale-IV on and from the year 2015 and after awarding such promotional benefits fix the applicant's pay scale and pay the arrears and other benefits accordingly within a stipulated time period.
- (b) A further order to issue directing the concerned respondent authorities to re-fix the pay scale after antedating the promotional benefit of C.A.

**ORDER SHEET**

Form No.

Anjan Ray Chaudhury

Case No. **OA 584 of 2022**

**Vs.**

The State of West Bengal & Ors.

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Scheme and to pay the arrears arising out of such fixation to your applicant along with interest thereto @ 18% P.A. till the actual date of realization of the same.

- (c) An order do issue directing the respondent authorities to dispose of the representation dated 18.07.2022 by passing a reasoned and speaking order in accordance with law after giving an opportunity of hearing to you applicant and to communicate the decision to the applicant within a stipulated time period.
- (d) Any other appropriate order/orders direction/directions as this Hon'ble Tribunal may deem fit and proper to protect the right of the applicant and in the ends of justice.”

As per the applicant, from the Assistant Professor (Stage-2) of Economics, he was appointed to the post of Assistant Professor (Stage-3) w.e.f. 28.08.2014 in terms of Carrier Advance Scheme in the light of G.O. No. 1196-Edn(A) dated 31.12.2012. However, the said Circular dated 31.12.2012 was no more in vogue as was substituted by the subsequent Circular dated 19.11.2019. As per the Circular No. 1909-Edn (CS)/5P-43/2019 and as per the applicant, he was entitled to get the said Carrier Advancement Scheme w.e.f. 19.11.2012. In this regard, he made a representation before the authority and the Principal, Durgapur Government College by Memo dated 07.07.2020 has forwarded is representation in favour of the

ORDER SHEET

Form No.

Anjan Ray Chaudhury

Case No. **OA 584 of 2022**

Vs.

The State of West Bengal & Ors.

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applicant to the Director of Public Instruction, Education Directorate. Further, the applicant has also again made a representation dated 18.07.2022 to the Director of Public Instruction, Directorate of Higher Education, Government of West Bengal. However, till date, neither his representation has been considered nor he has been granted the benefit as per recommendation of the Principal Durgapur Government College.

During the course of the hearing, the counsel for the applicant is fairly submitted that it would suffice his purpose, if the respondent no. 3, the Director of Public Instruction, Higher Education Directorate, be directed to consider of the representation of the applicant treating the O.A as a part of it within a stipulated period of time.

The counsel for the respondents has no objection for such consideration.

In view of the above, the respondent no. 3, the Director of Public Instruction, Higher Education Directorate is directed to dispose of the representation of the applicant treating the OA as part of it and to communicate his decision by a reasoned and speaking order with follow up action, if any, within a period of eight weeks from the date of receipt of the order.

Accordingly, OA is **dispose of** with no order as to cost.

HS

Mrs. URMITA DATTA (SEN)  
Officiating Chairperson & Member (J)