

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 743 of 2019

Tapash Bandyopadhyay - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. S.K. Mitra,
and Advocate

Date of order
14
28.02.2023 For the Respondent No. 3 : Ms. A.P. Banerjee,
& 4 Advocate

For the Finance Deptt. : Mr. G.P. Banerjee,
Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels, the case is taken up for consideration sitting singly.

Heard in part submissions.

The prayer in this application is for up gradation of pay from scale No. 15 to 16. It appears that the prayer for this applicant was not considered by the respondent on the ground that the Self Appraisal Report in question was wanting on the date of superannuation of the applicant. The relevant portion of the reasoned order communicated to the applicant is as under:

“In inviting a reference to the above noted subject, the undersigned is directed to state that since the Self Appraisal Report in question, was wanting on 31st May, 2019(A/N) i.e. the date of superannuation on completion of 60 years, the award of promotional benefit as claimed by him, was not considered.”

Submission of Mr. Mitra is that the fault of not producing such Appraisal Report on time before the concerned authority does not lie with the applicant. Therefore, the

ORDER SHEET

Form No.

Tapash Bandyapadhyay

Vs.

Case No. **OA – 743 of 2019**

THE STATE OF WEST BENGAL & ORS.

rejection of his prayer is unfair and should be reconsidered.

Let the matter appear under the heading 'Further Hearing' on 18.05.2023.

**SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P