

**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 – 925 of 2021**

**Subhash Chandra Kundu & Others - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicants : Mr. S. A. Ali,  
and Advocate

Date of order

6  
15.02.2023

For the Respondent No. 2 : Ms. R. Sarkar,  
(Departmental Representative)  
Land and Land Reforms Department

For the Respondent No. 3 : Mrs. S. Agarwal,  
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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

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

The prayer in this application is for a direction to pay revised pension in terms of Ropa-2019 to the applicants. Learned counsel for the applicants refers to page 28, which appears to be a correspondence from Additional District Magistrate (Gen), Nadia addressed to Joint Secretary, L & LR Department on 02.03.2021, The letter seems to be a proposal to the L & L.R. Department to accord post facto approval with effect from 01.01.2019 in terms of W.B.S. (Ropa) Rules – 2009 for re-fixation of pay 2019.

Mrs. Agarwal submits that as reflected at page 9 of the application, the applicants are drawing provisional pension and the matter is pending before the Hon'ble High Court since 2014. Submission is that since the matter is pending at Hon'ble High Court, no directions be given by the Tribunal at this stage till disposal of the case.

Ms. Sarkar furnishes a copy of the letter addressed by the Department to the District Magistrate in reply to the A.D.M.'s letter dated 02.03.2021. In this correspondence, the respondent has asked the District Magistrate to submit Service

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Books of the applicants and other relevant documents. The letter be kept in record.

After hearing the submissions, the District Magistrate, Nadia is directed to furnish these documents within a period of three months from today before the L & L.R. Department. L & L.R. Department after receipt of these documents shall consider and dispose of the applications within a period of three months from the date of submission of all the documents by the District Magistrate before the Respondent No. 2 i.e Joint Secretary. L & L.R. Department. Accordingly, the matter is disposed of.

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

A.K.P