

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

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

**Case No. OA - 1034 of 2018**

**Haripada Das & Another - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order <u>10</u> 12.03.2021	For the Applicants	: Mr. M.N. Roy, Mr. G. Halder, Advocates.
	For the State Respondent	: Mr. G.P. Banerjee, Advocate
	For Pr. A.G. (A & E), West Bengal	: Mr. B. Mitra, (Departmental Representative)

The matter is taken up by the Single Bench pursuant to the Notification No. 949 – WBAT / 2J – 15 / 2016 dated 24.12.2020 issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunal's Act, 1985.

With the consent of both the parties the matter is taken up.

During the course of the hearing, the counsel for the applicants has submitted that they are similarly circumstanced with the petitioner of the O.A. No. 177 of 2013, which was disposed of vide order 07.02.2014 and was subsequently affirmed by the Hon'ble High Court in WPST No. 227 of 2014, which has been further affirmed by the Hon'ble High Court vide judgement dated 05.05.2016 passed in WPST No. 227 of 2014. During the course of the hearing, the counsel for the applicant has submitted that it would suffice his purpose if the Principal Secretary, Department of Personnel & Administrative Reforms, Govt. of W.B. is directed to consider their case in the light of the judgement mentioned aforesaid to extend the benefit thereof.

The counsel for the respondent has no objection to consider the case of the applicant and to extend the benefit if they would be found eligible for such benefit.

**ORDER SHEET**

Form No.

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In view of the above, the Principal Secretary, Department of Personnel & Administrative Reforms, Govt. of W.B. is directed to consider the case of the applicants in the light of the judgement dated 05.05.2016 and to take decision and if the applicants would be found eligible for extension of benefit of aforementioned judgement, they may be extended the benefit of the said judgement and to communicate the said decision within a period of eight weeks from the date of receipt of the order by way of reasoned and speaking order. However, I have observed nothing on the merit of the case.

Accordingly, the O.A. is disposed of with no order as to costs.

Parties are directed to act upon the web copy.

Mrs. URMITA DATTA (SEN)  
MEMBER (J)

A.K.P.