

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,

Case No. - OA 11 OF 2025

BHUPESH PASWAN - Vs – THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

04

05.08.2025

For the Applicant : Mr. Soumendra Narayan Ray
Advocate

For the State Respondents : Mr. Sankha Ghosh
Advocate

For the Principal Accountant : Mr. Biswanath Mitra
General (A&E) West Bengal (Departmental Representative)

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) 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 for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for two benefits:

- (i) Pension
- (ii) Counting of his past service.

From the submissions and the records, the Tribunal finds that the applicant was engaged as a temporary Peon-cum-Farash of Malda Museum on 02.04.1983 by an Order of District Information Officer & Member Secretary, Malda Museum by Memo. MM95 dated 02.04.1983. Later by Notification No. 2021-ICA dated 06.08.2008, the applicant was regularised in the post of Group-D with effect from 06.08.2008. Memo. No. 86/MM dated 05.06.2008 relates to his appointment to the post of Peon-cum-Farash, Group-D on regular basis issued by the Member Secretary, Malda Museum Management Committee.. On attaining the age of 60, the applicant superannuated on 30.06.2022. Despite serving

Form No.

BHUPESH PASWAN

Vs.

Case No **OA 11 OF 2025**

THE STATE OF WEST BENGAL & OTHERS.

for almost 30 years including 14 years in a regular post, the applicant is aggrieved that neither his past service has been counted nor any pension granted to him. In this regard, the applicant furnished several representations before the Director of Archaeology and Museums, Kolkata. The Member Secretary, Malda Museum had also requested the Director of Archaeology and Museums by his Memo. No. 72/MM dated 17.10.2016 for counting of past service in respect of this applicant and two others.

This Tribunal, while hearing the matter on 16.04.2025, had directed the respondent's side to file a comprehensive reply in this matter. Despite such clear directions, no such reply has been filed by the respondents. The Tribunal views such indifference on part of the respondent No. 2, the Director of Archaeology and Museums very seriously. Mr.S.Ghosh, learned counsel has also expressed his helplessness in getting a reply from the respondent No. 3.

Let the next date be the last opportunity for the respondent No. 2 to file a reply explaining why this applicant having served for 14 years in a regular post has been deprived of his pension and other retiral benefits, otherwise, the Tribunal will be compelled to direct his presence before this Tribunal. Mr.Ghosh, has been advised to communicate a copy of this order upon the respondent No. 2. Let the name of the respondent No. 2, the Director of Archaeology and Museums be furnished before this Tribunal on the next date.

Let the mater appear under the heading 'Hearing' on 2nd September, 2025.

BLR

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)