

**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 1124 of 2017**

**Dulal Chandra Shit. - Versus - The State of West Bengal & Others.**

Serial No. and Date of order	For the Applicant	: Mrs. S. Mitra, Advocate.
<u>08</u> 11.08.2023.	For the State Respondents	: None.

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 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.

In terms of the Tribunal's order in OA- 413 of 2011, the respondent, the Joint Secretary of the Commerce and Industries Department (Mines Branch) had passed a reasoned order dated 10.10.2012. The relevant paras of the order is as under :-

*“As Shri Dulal Shit was engaged on 1.2.1996, i.e., before issue of Notification No. 100 Emp. dated 13.03.1996, in terms of the said notification his case should have been referred to finance & Labour Deptt. for proper examination. But it does not appear from records that case of Shri Dulal shit has been finally disposed of by Labour and Finance Deptt. and that the case has been closed. Hence I think that for natural justice, the petitioner should be given an opportunity for re-examination of his case by appropriate authority and its subsequent disposal.*

*Hence it is ordered that Directorate of Mines & Minerals and thereafter Commerce & Industries Deptt. will examine the case of petitioner Shri Dulal Chandra Shit afresh and sent to Finance and Labour Deptt. for appropriate action within reasonable time as per*

**ORDER SHEET**

Form No.

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*relevant Govt. orders and rules applicable in such matters. Director of Mines & Minerals be informed accordingly.”*

Submission of Mrs. S. Mitra, learned counsel appearing on behalf of the applicant is that after such an order was passed, however, the applicant is not aware of the final outcome and therefore prays for a direction to the concerned respondents to inform this Tribunal of the action taken as per the above order.

It is evident from the reasoned order that after considering the case of the applicant, the Joint Secretary directed the respondent no. 2 (iii), the Director of Mines and Minerals to examine the case of the applicant and submit a fresh proposal before the Finance and Labour Departments.

In view of above, the respondent no. 2 (iii) – the Director of Mines and Minerals is directed to file reply before this Tribunal by the next date informing the result of actions taken by him as per the reasoned order dated 10.10.2012.

Let the matter appear under the heading “Reply/Rejoinder and Objection” on 12.12.2023.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A)

HS/SM