

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-1213 of 2016

Subhash Chandra Bose **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicant : Mrs. S. Mitra,
Learned Advocate.

For the State Respondents : Mr. G.P. Banerjee,
Learned Advocate.

04
20.07.2022

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

As per the counsel for the applicant, the issue involved in this case had already been settled by this Tribunal in earlier order dated 05.09.2013 passed in OA-563 of 2011, whereby this Tribunal had observed and ordered inter alia :-

”Under the circumstances, we dispose of the application on satisfaction in terms of the order of fixation of the pay of the petitioner as submitted today showing the pay of the petitioner at Rs. 17,230/- as on 01.07.2006. (revised).

Respondents are directed to calculate the arrear pay and allowances and other retiral benefits of pay admissible to the petitioner as per rule and revised statement of pay within a period of three months from the date of communication of this order and to communicate the decision to the petitioner within three weeks thereafter.”

Subsequently as there was some inadvertent mistake in the order dated 05.09.2013, it was rectified by subsequent order dated 30.09.2013. However, as per the applicant, the said orders were not implemented by the concerned respondents. Therefore, he filed a CCP-29 of 2016. However, he had withdrawn the said application as per the liberty

ORDER SHEET

Form No.

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granted by this Tribunal vide order dated 16.08.2016 with a liberty to file fresh application. Hence the instant application.

During the course of hearing, the counsel for the applicant has submitted it would suffice his purpose if the authority would be directed to implement the order dated 05.09.2013 and 30.09.2013 within a stipulated period of time as no appeal has been preferred by the respondents against the said orders in the meantime.

The counsel for the respondent has no objection to such proposition.

Accordingly, respondents are directed to implement the order dated 05.09.2013 and 30.09.2013 passed in OA-563 of 2011 with follow up action within a period of eight weeks from the date of receipt of the order. Accordingly, OA is disposed of with the above observation and direction with no order as to costs.

URMITA DATTA (SEN)
MEMBER (J)

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