

**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 145 of 2023**

**Nalini Ranjan Das -- VERSUS – The State of West Bengal & Ors.**

|                                 |                          |  |
|---------------------------------|--------------------------|--|
| Serial No. and<br>Date of order | For the Applicant        | : Mr. N.G. Chakraborty,<br>Ld. Advocate. |
|                                 | For the State respondent | : Mrs. S. Agarwal,<br>Ld. Advocate.      |
| <u>02</u><br>13.07.2023         |                          |  |

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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

As prayed for, liberty is given to the applicant to add the Principal Accountant General (A&E), West Bengal as a respondent. Let the cause title be amended during the course of the day and a copy of the amended application along with this order be served to the added respondent.

In brief, this application prays for a direction to the respondent authority to release his arrears in terms of the promotion order given to him vide order no. 504 dated 20.09.1996. This prayer is also for revising the pension accordingly. The applicant was working as a Peon under the Office of the Handloom Development Officer, Midnapore. By an order no. 504 dated 20.09.1996, the Director of Handloom and Textiles issued an order promoting him and others to the post of Grade-I Group-D with a pay scale of Rs.830-1357/-. This promotion order was given effect from 29.6.1996. The applicant superannuated on 31.07.2014.

Mr. N.G. Chakraborty, learned counsel for the applicant submits that the applicant was not aware of such promotion as long as he was in the service. Only after his superannuation, he became aware of such promotion order issued way back in 1996.

Mrs. S. Agarwal, learned counsel for the State respondents submits that this application is not maintainable for the reason that the impugned order no. 504 dated 20.09.1996 is being challenged in this Tribunal after a gap of 27

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years. This is barred by limitation. Further, the financial benefit of such promotion by way of revision of his pay did not come into effect for the reason that the incumbent did not join the promoted post.

Mrs. Agarwal prays for accommodation to file a reply on behalf of the State respondents.

Let the matter appear under the heading "**Admission Hearing**" on **12.12.2023.**

Reply and rejoinder, if any, in the meantime.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

SS/SM