

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 194 of 2021.

SHRI PRADIPTA RANJAN CHAKRABORTY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. G.P. Banerjee, Advocate.
<u>4</u> 06.08.2021	For the State Respondents	: Mr. M.N. Roy, Advocate.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 and 456-WBAT/2J-15/2016 dated 16th July, 2021 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunal Act, 1985.

In the application Pradipta Ranjan Chakraborty, the applicant, has prayed for certain reliefs, the relevant portion of which is as under :-

“.....A mandatory direction do issue upon the concerned respondent authorities to forthwith set aside/cancel/withdraw their impugned decision regarding discontinuation of service of the applicant as a contractual ‘Data Entry Operator’ as would appear from the Tamluk Telecom GD Book Entry No. 198 dated 20th February, 2020, being Annexure- ‘C’ herein, and to allow the applicant to continue his duties to the said post-in-question upon consideration of his several representations made to that effect, being Annexure- ‘B’ herein, and to command them to act strictly in accordance with law;....”.

It appears that the applicant was appointed as a ‘Data Entry Operator’ on a purely temporary and contractual basis for one year as evident from the memorandum dated 18th January, 2019. It appears from annexure C to the application, that on 21st February, 2020 the service rendered by the applicant was discontinued.

It is submitted by Mr. G.P. Banerjee, learned advocate

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appearing on behalf of the applicant that as it is evident from the application that candidates less meritorious are continuing in service, the matter may be admitted.

Mr. M.N. Roy, learned advocate appearing on behalf of the State respondents referring to the memo dated 18th January, 2019 submits that since the appointment of the applicant was purely on temporary and contractual basis for one year and he has completed the term, no order may be passed.

Heard learned advocates for the parties.

Admittedly, the applicant on 18th January, 2019 was engaged on “temporary and contractual basis for 01 (one year)”. The service of the applicant, as evident from annexure “C” to the application, was discontinued from 21st February, 2020, which was after completion of one year of engagement. Since the applicant was engaged on a purely temporary and contractual basis and he completed his term as mentioned in the contract, no order is passed on the application. The application is disposed of.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

(SOUMITRA PAL)
CHAIRMAN.

Skg.