

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 210 of 2022

KAUSHIK PATRA & ANR. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. Shaon Bhattacharya, Advocate
<u>2</u> 13.05.2022	For the Respondents	: Mr. Gautam Pathak Banerjee, Advocate

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.

In the instant application, Kaushik Patra and Tanmoy Ghosh,- the applicants, who are Data Entry Operators under the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, - have prayed for certain reliefs, the relevant portion of which is as under:

“(a) An order do issue directing the concerned respondent authorities to forthwith allow the applicants herein the benefits of Notification No. 192-IT/06/2020 / P&AR-e-Gov dated 16.10.2020 issued by the Department of Personnel & Administrative Reforms (e-Governance Cell), Government of West Bengal, being Annexure-‘A’ herein, like security of tenure, leave, terminal benefits etc. which have been allowed to similar set of “IT personnel” in other Departments to the Government of West Bengal in consonance with the said Notification dated 16.10.2020 within a stipulated time period and to command

ORDER SHEET

Form No.

KAUSHIK PATRA & ANR.

Vs.

Case No. **OA 210 of 2022**

THE STATE OF WEST BENGAL & ORS.

them to act in accordance with law;

(b) A further order to issue directing the concerned respondent authorities to consider and dispose of the representation of the Association dated 03.11.2020, being Annexure- 'B' herein, made on behalf of the applicants in this regard by passing a reasoned and speaking order, after giving an opportunity of personal hearing to the applicants and to communicate the decision thereof within a stipulated time period;"

Mr. Shaon Bhattacharya, learned advocate for the applicants submits since his clients have been deprived of security of tenure, leave, terminal benefits etc. which have been allowed to similar set of "IT personnel" in other Departments to the Government of West Bengal in consonance with the said Notification dated 16th October, 2020 and though a representation dated 3rd November, 2020 was furnished by the Paschim Banga Registration Office Contractual Employees Association of which the applicants are members, as no steps have been taken, aggrieved, the application has been filed. Submission is direction may be issued upon the respondents to consider the said representation.

Mr. Gautam Pathak Banerjee, learned advocate appearing on behalf of the State respondents submits that the association has no locus standi to file representation of such nature. However, if the applicants file representations individually, the authorities will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting

ORDER SHEET

Form No.

KAUSHIK PATRA & ANR.

Vs.

Case No. **OA 210 of 2022**

THE STATE OF WEST BENGAL & ORS.

SCN.

liberty to the applicants to file representations individually, ventilating their grievances, annexing copies of relevant documents before the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal, Kolkata, the respondent no.4, within a period of four weeks, along with copy of this order downloaded from the website of the Tribunal. If representations are filed individually within the time as stipulated, the respondent no.4 shall dispose of the same by passing separate reasoned orders to be communicated to the parties within eight weeks after giving an opportunity of hearing to the applicants individually, after considering the notification dated 16th October, 2020 and after verifying the records.

(SOUMITRA PAL)
CHAIRMAN