

**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-234 of 2021**

**Monoj Kumar Gupta -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. H.A. Rashid,  
Ld. Advocate.

For the State Respondent : Mrs. S. Agarwal,  
Ld. Advocate.

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11.09.2024

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.

Mr. Rashid, learned counsel for the applicant has submitted that though the applicant has performed his duties for more than 10 years but the respondent side has not yet regularised him in the service. By a notice dated 06.06.2019, the applicant was asked to deposit his driving license. Such driving licence was deposited but no favourable action has been taken. Mr. Rashid has presumed that by such notice for depositing driving license, it was for regularisation of the service. Appearing on behalf of the respondent authorities, Mrs. Agarwal, learned counsel relying on the grounds given in the reply however, disagrees with the argument of Mr. Rashid and submits that, as is clearly evident from the engagement letter, the applicant was engaged as a temporary worker for duties not exceeding two weeks in a month. However, the applicant had an opportunity to appear in the examination for the post of Agragami but decided not to participate. Mr. Rashid has also submitted that despite several recommendations given by the Commandant for being satisfied with the service, respondent authority has not bothered to accept his request for regularisation.

Heard the learned counsels.

Order is reserved.

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

CSM/SS