

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. –OA 245 OF 2024

**WEST BENGAL SUBORDINATE FOOD & SUPPLIES SERVICE ASSOCIATION & ORS.
-VERSUS- THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicants : Mr. M.N. Roy,
and Advocate
Date of For the State Respondents : Mr. G.P. Banerjee,
order Advocate

2
20.8.2024

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 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authority to re-fix pay and allowances of the applicants holding the post of “Inspector” in West Bengal Subordinate Food & Supplies Service from the date of joining the post.

Submission of Mr. M.N. Roy, learned counsel for the applicants is that in similar matter in “O.A. 314 of 2023 : Tapan Kumar Senapati and Others vrs. The State of West Bengal & Ors.” and O.A. 812 of 2013, the Tribunal had directed to consider the entitlement of the applicants to get scale No.10.

Mr. G.P. Banerjee, learned counsel for the respondents contends that the entitlement of the Inspector of Food under the Department of Food & Supplies to get Scale No.10 has already been decided by the Tribunal and the Hon'ble High Court and the Hon'ble Apex Court and as such necessary order may be passed in this regard. If such an order is passed in terms of the similar order, the same will be complied if all other requisite criterias have been fulfilled.

Having heard the learned counsels for the applicants and on consideration of the fact that the issue of grant of scale No.10 to the Inspector of Food, Department of Food & Supplies, Government of West Bengal has already been decided by the Hon'ble High Court and the Hon'ble Supreme Court and also by the Tribunal in OA 314 of 2023 and O.A. 812 of 2013, the Tribunal is of the view that the applicants are also entitled to get Scale No.10. Accordingly, the respondent No.2,

ORDER SHEET

WEST BENGAL SUBORDINATE FOOD & SUPPLIES SERVICE ASSOCIATION & ORS.

Vs.

Case No. - OA 245 OF 2024

THE STATE OF WEST BENGAL & ORS.

the Principal Secretary, Food & Supplies Department is directed to dispose of this application by passing a reasoned order in terms of the orders passed by this Tribunal in O.A. 812 of 2013 and O.A. 314 of 2023 after verification of the office records within a period of three months from the date of communication of this order and to communicate the decision to the applicants within two weeks thereafter.

The application is disposed of accordingly.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL