

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-264 of 2023

Serial No. and Date of order	Purnima Sow For the Applicant	:	VERSUS – The State of West Bengal & Ors.. Mr. S. Bhattacharjee, Mr. S.M. Alam, Learned Advocates.
<u>01</u> 19.05.2023	For the State Respondents	:	None.

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.

On consent of the learned counsel for the contesting party, the case is taken up sitting singly.

Affidavit of service filed be kept with the record.

The prayer in this application is for a direction to the respondent authorities to allow her resumption of duties and payment of her arrear salary since November, 2018. As it appears from the application, the applicant was appointed as an A.N.M. in the district of Pashim Bardhaman on 05.01.2011 for 11 months on contractual basis.

Mr. Bhattacharjee learned counsel submits that in subsequent years, the applicant was re-engaged in the same terms and conditions. However, there is no copy of such orders showing re-engagement of the applicant in the same post as A.N.M. except one dated 05.01.2011.

Attention is also given to one show cause notice issued on 07.01.2017 by the B.M.O.H to the applicant. It appears from this notice that the applicant was directed to submit written clarification regarding her behavioural misconduct, irregularity in the service, violation of office order dated 10.08.2016, absent from meetings held on

08.11.2016, locking the Sub-Centre without authorisation etc. Though the applicant replied to the show cause notice, however, thereafter neither any departmental proceedings was initiated nor any suspension order issued but her salary since the month of November 2018 has not been paid and she has not been allowed to rejoin her duties.

Heard the learned counsels for the applicant. The matter is admitted. Liberty is given to file supplementary affidavit attaching copies of the re-engagement orders.

Let the matter appear under the heading “Hearing” on **31.08.2023.**

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

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