

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 - 27 of 2023

Abul Kalam Azad - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

07
14.01.2025

For the Applicant : Mr. R. Islam,
Learned Advocate.

For the State : Ms. Ruma Sarkar,
Respondents Mr. S. Deb Roy,
Mrs. A. Bhattacharya,
Learned Departmental Representatives.

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.

After hearing the submissions of the learned counsels and perusing the records in this application, the Tribunal has come to this finding that despite a clear order of Hon'ble High Court directing the respondents to promote the applicant to a Group 'C' post w.e.f. 01.01.1983, the applicant himself exercised an option for promotion w.e.f. 25.09.1992. It also reveals that the applicant had approached this Tribunal in OA-1265 of 2016 praying for a direction to the respondent authorities to release his pension and other retiral benefits. The order of the Tribunal on 13.12.2018, shows that the applicant himself had stated that he got promotion to the post of Amin on 25.09.1992. The fact of the Hon'ble High Court's order was neither mentioned nor agitated before this Tribunal.

Having joined the promotional post w.e.f. 25.09.1992 and superannuated from service on 31.12.2014, the

applicant now furnishes representations for giving effect of his promotion to the post of Amin w.e.f. 01.01.1983. The Tribunal had requested the learned counsel for the applicant to show copies of his representations submitted before the respondent authorities seeking implementation of the Hon'ble Court's order for such promotion to the post of Amin furnished during the period of 1993 to 1997 but no such representation has been shown. Only in the representation dated 11.04.2019 filed before the respondent authority, the applicant mentions the which about the direction of the Hon'ble Court, five years after his superannuation. The Tribunal is not satisfied that the prayer of the applicant praying for a direction to the respondent authorities to enforce the order of the Hon'ble High Court dated 17.03.1993 giving him the promotional post of Amin w.e.f. 01.01.1983 has any merit, therefore, it is disposed of without passing any orders.

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

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