

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

HON'BLE JUSTICE SOUMITRA PAL,
HON'BLE SAYEED AHMED BABA,

HON'BLE CHAIRMAN &
ADMINISTRATIVE MEMBER.

Case No. – OA 277 of 2021.

SHRI JYOTIRMOY BAKSHI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S.N. Ray, (By virtual mode). Advocate.
<u>3</u> 10.9.2021.	For the State Respondents	: Mr. G.P. Banerjee, , Advocate.

Affidavit of service filed in the Registry be kept on record.

In this application, Jyotirmoy Bakshi, the applicant, the Executive Engineer in Public Works Department, has prayed for certain reliefs, the relevant portion of which is as under :-

“(a)An order do issue thereby causing the modification of the instant applicant's 2nd financial upgradation order dated 21.09.2015, as issued by the Joint Secretary, by treating his said financial benefit to be effective from 22.10.2013 in stead and place of 01.07.2015 or prior to when his immediate junior in the gradation list Shri Nirmalya Das had been granted such benefit.

(b) An order do issue directing the concerned respondent authorities to forthwith revise, fix and regularize the instant applicant's pay and allowances and disburse them accordingly after treating his said financial benefit to be effective from 22.10.2013 in stead and place of 01.07.2015 or prior to when his immediate junior in the gradation list Shri Nirmalya Das had been granted such benefit and act as necessary to protect the applicant's seniority.....”.

Mr. S.N. Ray, learned advocate for the applicant submits that though the applicant faced departmental proceedings and his annual increment was withheld for one year without having any effect on his future pay and allowances, as evident from the order dated 10th April, 2015, appearing at pages 16 and 17 of the original application, and as

ORDER SHEET

Form No.

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the applicant was granted second higher pay and allowances on 1st July, 2015 instead of 22nd October, 2013 and that too after much delay and though representations dated 14th October, 2015, 20th February, 2017, 30th May, 2018 and 24th April, 2020 were furnished before the authorities for redressal of his grievances, as evident from pages 12 to 15 of the application, however no order has been passed.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits if directed the respondent authorities will consider the matter in accordance with law.

Since it is submitted on behalf of the applicant that the applicant got the second higher scale of pay after considerable delay, though entitled in the year 2013 or earlier, and his representations have not been considered, considering the facts and circumstances of the case, the application is disposed of by directing the Joint Secretary, Public Works Department, Government of West Bengal – the respondent no. 2 to dispose of the representations dated 14th October, 2015, 20th February, 2017, 30th May, 2018 and 24th May, 2020 by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website, after giving an opportunity of hearing, after verifying the records and in accordance with rules as applicable.

(SAYEED AHMED BABA)
MEMBER (A).

(SOUMITRA PAL)
CHAIRMAN.

Skg.