

**ORDER SHEET**

**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 279 of 2021.

MRINAL SHIL - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

For the Applicant : Mr. S. Chakraborty,  
Advocate.

For the State : Mr. A.K. Das Sinha,  
Respondents Advocate.

02  
8.12.2021.

Let affidavit of service filed be kept on record.

Since despite service of notice, none appears on behalf of the State respondents, Mr. A.K. Das Sinha, who had appeared in OA 254 of 2018 (Mrinal Shil – versus- The State of West Bengal & Others), where the issue was near similar, is requested to appear in this matter. Let a copy of the application be served by Mr. S. Chakraborty, learned advocate for the applicant on Mr. Das Sinha, which is served and accepted. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr. A.K. Das Sinha.

In this application Mrinal Shil, the applicant has prayed for certain reliefs, the relevant portion of which is as under :-

*“.....An order directing the respondents concerned to consider the Order dated 16.07.2018, passed in connection with Original Application No. 254 of 2018 and implement the benefit in terms of the memorandum dated 16.09.2011 and 1107-F(P) dated 25.02.2016 as well as Order No. 360 dated 02.11.2017 with arrears and interest pending disposal of the application....”.*

It is submitted by Mr. Chakraborty that direction may be issued upon the respondents to implement the direction contained in the order dated 16<sup>th</sup> July, 2018 passed in OA 254 of 2018, the relevant portion of which is as under :-

*“.....In view of the fact that the applicant has already*

*submitted one representation before the respondent no. 4, the Superintendent of Police, Coochbehar, praying for benefit of the memorandum issued by the Finance Department, Government of West Bengal we are inclined to dispose of the present application with direction to the concerned respondent to consider the entitlement of the applicant to get the benefit of the Finance Department memorandum quoted above.*

*In view of our above findings the respondent no.4, the Superintendent of Police, Coochbehar is directed to consider the representation submitted by the applicant on July 23, 2017 (Annexure – D to the original application) in accordance with law and to take a decision whether applicant is entitled to get the benefit of Finance Department memorandum dated September 16, 2011 and memorandum dated February 25, 2016 within a period of twelve weeks from the date of communication of the order and to intimate the result of the same to the applicant within a period of twelve weeks thereafter.*

*The applicant is directed to serve copy of this order along with copy of original application and its annexures on the respondent no.4, the Superintendent of Police, Coochbehar by speed post within a period of two weeks from this dte, in default this order stands cancelled...”.*

In view of the submission made, the original application is disposed of by directing the applicant to serve a copy of the original application with annexures along with a copy of this order within two weeks from the date of downloading this order from the website of the Tribunal on Superintendent of Police, Cooch Behar, - the respondent no. 2(iv), in default this order stands cancelled.

If a copy of the original application along with a copy of

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Form No.

MRINAL SHIL.

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-Versus-  
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this order is served, the said respondent no. 2(iv) shall dispose of the same by passing a reasoned order to be communicated to the applicant within twelve weeks after giving an opportunity of hearing and after verifying the records.

(SAYEED AHMED BABA)  
MEMBER(A)

(SOUMITRA PAL)  
CHAIRMAN.

Skg.