

**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 298 OF 2023**

**SUJAY PAUL - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No.

and

Date of  
order

For the Applicant

:

Mr. M.N. Roy,  
Mr. Gaurav Halder,  
Advocates

3

11.03.2024

For the State Respondents

:

Mr. Sankha Ghosh,  
Advocate

For the Principal Accountant :  
General (A&E), West Bengal

Mr. Biswanath Mitra,  
Departmental Representative

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

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

Mr. M.N. Roy, learned counsel is pressing only prayer 8.(c).

After hearing the submissions of the learned counsels and on examination of the records, the Tribunal has come to know that in terms of the direction of this Tribunal in O.A. 614 of 2016, the respondent No.2, the Director of Health Services was directed to consider the entitlement of the applicant to get financial benefit in terms of judgement in O.A. 418 of 2011. In terms of such a direction, the respondent authority by its memo dated 23.09.2019, had advised the applicant and similarly circumstanced persons to appear before the Director of Health Services on 25.09.2019 for personal hearing along with relevant documents. Submission of Mr. Roy is that though such a hearing was held in which the applicant has also participated, but the respondent has not taken any final decision in the matter.

In response, Mr. Ghosh, learned counsel submits that records pertaining to the period 01.01.1990 to 31.12.2008 are not easily available, thus difficult for the respondent authority to pass the reasoned order. Mr. Ghosh further submits that

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such cooperation in furnishing copies of the relevant documents from the applicant has not been very positive.

Having heard the submissions of the learned counsels it is the direction of this Tribunal to respondent No.2, the Director of Health Services to complete the process of examining the records to check the entitlement of the applicant to such benefit, as directed in an earlier O.A. 614 of 2016. Let the applicant side also cooperate with the respondent No.2 in furnishing copies of the relevant documents. Let this exercise be completed within four months from the date of communication of this order and a reasoned order be passed.

Such process and passing of reasoned order be restricted only to this applicant, Sujay Paul.

The application is disposed of.

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

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL