

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 3 OF 2022

KAMALENDU BANERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. D. Paul ,
and Advocate
Date of For the Respondents : Mr. Gautam Pathak Banerjee,
order Advocate
11
20.01.2023 For the Principal Accountant : Mr. Biswanath Mitra,
General (A&E), West Bengal 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 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 counsels for the parties, the case is taken up for consideration sitting singly.

Supplementary affidavit filed on behalf of the applicant be kept on record.

Submission of the learned counsel of the applicant is that the applicant was not given any opportunity to present his case in person before the order for recalculation of pay and pension was made by the respondent.

SCN. The memo dated 23rd February, 2009 of the Finance Department stated that the post of Head Clerk is a supervisory post of Head Clerk and Accountant.

However, Mr. Gautam Pathak Banerjee, learned counsel for the respondents does not agree with this contention and he refers to a correspondence to the Principal Accountant General appearing at page 34 dated 08.07.2015 in which a copy was also endorsed to the applicant.

Part heard the submissions. Let the matter appear under the heading "Orders" on 11.07.2023.

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