

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 303 OF 2024

HIMADRI DE & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

03
02.09.2024

For the Applicants	:	Ms.D.Pramanik Advocate
For the Respondents (Finance Department)	:	Mr.Goutam Pathak Banerjee Advocate
For the Respondents (P&AR Department)	:	Mr.Sankha Ghosh Advocate
For the Added Respondent No. 6	:	Mr.Manujendra Narayan Roy Mr.Gourav Halder Advocates
For the Added Respondent No. 7	:	Mr.Sourav Bhattacharjee Advocate

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 contesting parties, the case is taken up for consideration sitting singly.

By orders in MA-78 of 2024 and MA-82 of 2024, the following parties were added in this application. (i) West Bengal Audit and Accounts Service Officers Association (Regd. No. S/33344 of 1981-82) (ii) Officers' Association of the West Bengal Audit and Accounts Services (Regd. No. S/59190 of 1988-89). Liberty is given to the applicants side to amend the cause title during the course of the day suitably and copies of this application be served upon them and affidavit of service be affirmed and filed on the next date of hearing.

The Tribunal is of the opinion that a reply from the State side is necessary in this matter. Both Mr.Banerjee and Mr.Ghosh, learned

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counsels appearing on behalf of the Finance Department and P&AR Department agree and wishes to file such a reply before this Tribunal. Mr.Roy and Mr.Bhattacharjee, learned counsels appearing on behalf of the added respondents also wishes to file their respective replies once copies of the application have been received by them.

The Tribunal advises the State respondents to clarify in their replies the following points which arose during the submissions made by Ms.Pramanik, learned counsel for the applicants.

- (i) Has the Memo. No. 9099-F dated 23.09.2009 been implemented in totality or not ?
- (ii) Whether a unified Gradation List was published or not ?
- (iii) Compliance / non-compliance of the directions of this Tribunal in OA-1435 of 2009, OA-1538 of 2009 and OA-1609 of 2009.

Ms.Pramanik has assured to present a copy of Memo. No. 837-PAR (IAS) dated 03.05.2024 which was, though mentioned in her interim prayer, but no copy was annexed. Let such copy be presented before this Tribunal and copies be served upon all the sides.

Let the matter appear under the heading “Reply, rejoinder and Further Hearing” on 6th February, 2025.

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

BLR