

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present- *

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA-324 of 2021

Shri Tushar Kanti Das -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. S.N. Ray,
Ld. Advocate.
For the State Respondent : Ms. R. Sarkar,
Mr. S. Debray,
Mr. R. Bag,
Ld. Depttl. Reps..

22
06.11.2024

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.

Sikha Rani Das, the deceased employee had submitted several representations before the authorities for sanction of arrear pay from 01.04.1981 to 31.07.2007 amounting to ₹ 91,321/-. From the submissions of the learned counsels and the records, it is found that the administrative department neither agreed to this proposal nor agreed to obtain opinion of the Finance Department. This has become clear from a Memo No. 1026 dated 08.03.2018. After the death of Sikha Rani Das, her husband Tushar Kanti Das has been substituted and he is the legal heir to receive such benefit if given.

Having heard the submissions of the learned counsels, this Tribunal is of the opinion that a representation praying for arrears during the service time, whether it has merit or not, should have been properly examined and views of the Finance Department taken. Since such representations were dealt without assigning any reason and without obtaining opinion of the Finance Department, the Land & Land Reforms & Refugee Relief and Rehabilitation Department is advised to examine the representations and if necessary obtain opinion of the Finance Department and dispose of the same with intimation to the applicant.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM