

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 340 of 2025

Susanta Kumar Das -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy, Mr. G. Halder, Ld. Advocates.
<u>02</u> 04.08.2025	For the State Respondents	: Mrs. S. Agarwal, Ld. Advocate.
	For the Pr. AG (A&E), WB	: Mr. B. Mitra, Ld. Depttl. Rep.

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.

Affidavit of service filed be kept on record.

The applicant has prayed for a direction upon the respondent authorities to refix his pay and allowances in the pay scale no. 19 w.e.f. 06.09.2005 till his superannuation on 30.09.2013.

Learned counsel for the applicant draws attention to memo. no. 322 dated 29.01.2025 and the list of eligible officers in scale no. 19. The Notification no. 322 was issued by the Special Secretary, Animal Resources Development Department allowing one Dr. Uttam Kumar Dey, Deputy Director to move the pre-revised scale no. 19 on non-functional basis w.e.f. 05.05.2014. In the eligibility list for award of scale no. 19, the applicant appearing at serial no. 3 is also shown to be eligible for benefit of scale no. 19 from 06.09.2005 to 30.09.2013. The name of Dr. Uttam Kumar Dey as recorded in the earlier memo is seen at serial no. 14 and also entitled for such scale w.e.f. 05.05.2014 till his superannuation. The contention of Mr. Roy is that as evident from these records, the applicant is also entitled to get the notional benefit of scale no. 19 w.e.f. 06.09.2005 till his superannuation on 30.09.2013. However, such benefit was denied to the applicant, whereas a junior like Uttam Kumar Dey was given such benefit.

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Vs.

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The matter is admitted.

The Tribunal directs the respondent authorities to file a reply in this matter.

Let the matter appear under the heading **“Hearing”** on **11.11.2025.**

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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