

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. - OA-37 of 2021

Md. Badruzzaman. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr. M. N. Roy,
Mr. G. Halder,
Advocates.

2
3.3.2021

For the State Respondents

: Mr. G. P. Banerjee,
Advocate.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

Since despite service of notice none appears on behalf of the State respondents, Mr. G. P. Banerjee, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. Let a copy of the application be served on him which is served and accepted. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr. Banerjee.

In this application, Md. Badruzzaman, the applicant has prayed for several reliefs, the relevant portion of which is as under :

“(a) *An order do issue directing the respondent authorities to issue reversion order in favour of the applicant herein enabling him to join his parent department i.e. Land & Land Reforms Department, Government of West Bengal in the post of Special Revenue Officer-II within a*

stipulated time period.

(b) An order do issue directing the concerned respondent authorities, each of them, to allow your applicant to return back to the post of Special Revenue Officer-II and to fix his seniority accordingly in the gradation list of Special Revenue Officer -II.

(c) An order do issue commanding the respondents, each of them, to pass necessary orders fixing the scale as well as seniority of the applicant from the date he is allowed to join the post of Special Revenue Officer –II in the Land & Land Reforms Department, Government of West Bengal.

(d) An order do issue directing the respondent authorities to consider and dispose of the representation of the applicant dated 05.11.2020 in accordance with law within a stipulated time by passing a reasoned and speaking order after giving an opportunity of hearing to the applicant.”

Referring to the application, it is submitted by Mr. M. N. Roy, learned advocate for the applicant that the applicant on 6th November, 2020 had submitted a prayer for reversion to the parent Cadre of SRO-II under Land & Land Reforms Department which was forwarded by the Sub-Divisional Officer, Barasat (Sadar), North 24-Parganas,-the respondent no. 7 to the District Magistrate, North 24-Parganas, Barasat – the respondent no. 5. Since it is pending, appropriate order may be passed for consideration of the same in the light of judgment dated 17th December, 2019 passed in OA-141 of 2019 : (Biswajit Mullick-Vs-The State of West Bengal & Ors.).

Mr. Banerjee, submits if directed, the respondent authorities will

ORDER SHEET

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consider the same in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Additional Chief Secretary, Department of Personnel and Administrative Reforms, Government of West Bengal, –the respondent no. 1, to consider the prayer of the applicant for reversion to parent Cadre of SRO-II under Land & Land Reforms Department by passing a reasoned order to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the internet/website, after considering the records and after considering the judgment passed in Biswajit Mullick (Supra).

(SOUMITRA PAL)
CHAIRMAN

S.M.