

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 4 OF 2022

BHUBAN BAGDI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and

Date of order

For the Applicant

: Mr. Ranjit Kumar Mondal
Advocate

03

28.03.2022

For the State respondent

: Mr. Goutam Pathak Banerjee
Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

In this application, Bhuban Bagdi, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:

“ (a) An order do issue directing the concerned respondent authorities to forthwith allow your applicant the benefit of movement of his pay and allowances to first higher scale of pay and allowances on completion of 08 years (i.e. from 17.04.1997, the initial date of appointment to the post of “Chowkidar”) and second higher scale of pay and allowances on 16 years in the form of “Modified Career Advancement Scheme, 2001” within a stipulated time period.

(b) A further order do issue directing the concerned respondent authorities to pay the arrear pay and allowances @ 18% p.a. in favour of the applicant after allowing the benefit of 08 years and 16 years MCAS, 2001 within a stipulated time period.

(c) An order do issue directing the respondent

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authorities to consider and dispose of the representations pending before them by passing a reasoned and speaking order and to communicate the decision thereof upon your applicant within a stipulated time period after giving an opportunity of personal hearing.”

It is submitted by Mr.R.K.Mondal, learned advocate for the applicant that though the applicant is entitled to the reliefs as prayed for which has not been granted by the respondents and as representation dated 16th December, 2021 was furnished before the Executive Engineer, Mayurakhi Head Quarter Canal Division, Government of West Bengal, Irrigation and Waterways Directorate, Birbhum, the respondent no.4 has not been disposed of, aggrieved this application has been filed. Submission is the respondents may be directed to consider the said representation.

Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents submits though the applicant has not been confirmed in the post of Orderly Peon, however, if directed, the respondent authorities will consider the representation dated 16th December, 2021 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 granting liberty to the applicant to file a representation afresh ventilating his grievances before the respondent no.4 along with a copy of this order downloaded from the website of the Tribunal within four weeks, and if representation is filed, the said respondent no.4 shall dispose of the same by passing a reasoned order to be communicated to the parties within fifteen weeks after giving an opportunity of hearing and after verifying the records.

BLR

(SOUMITRA PAL)
CHAIRMAN