

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).**

Case No. – OA 442 of 2024.

SRI DURGASHANKAR DAS - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and  
Date of order

01  
30.09.2024

For the Applicant : Mr. D. Das,  
Advocate.

For the State Respondents : Ms. R. Sarkar,  
Mr. S. Debray,  
Mrs. A. Bhattacharya,  
Departmental representatives,  
L & LR Department.

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

The prayer in this application is for payment of remuneration for the month of February, 2024. The applicant also prays for a direction to the Respondents to allow him to continue to work in the post of Sweeper- cum- Water Career in the office of R.I., G.P.. -7, Anikola under B.L. & L.R.O., Datan -1, Paschim Medinipur. As per submission of Mr. Das, learned counsel, the applicant was disallowed from performing his duties on the ground that he has already attained the age of superannuation. But records speak otherwise. Mr. Das has drawn attention to two documents signed by the B.L & L.R.O in which his date of birth has been shown as 03.01.1970. His contention is that as per the official records, his date of superannuation is 2030.

Ms. Sarkar, representing the Department draws attention to copy of school Transfer Certificate appearing in this application at page 9 and wonders how come the applicant, born on 03.01.1970, left the school on 30.01.1974 after having passed class VIII? This dubious certificate was issued on 15.03.2011 to the applicant by Headmaster, Sorrong Madhusudan Bidyapith (H.S.), Sorrong, Paschim Medinipur.

The Department wishes to take instruction and submit details about

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Form No.

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this application as per official records before this Tribunal on the next date.

The matter is admitted.

Let the matter be listed under the heading "For Orders" on  
25.03.2025.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A).

SKG/SM.