

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 442 of 2024

Sri Durgashankar Das -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant

: Mr. Debasish Das,
Ld. Advocate.

For the State Respondents

: Ms. R. Sarkar,
Mr. S. Debray,
Mrs. A. Bhattacharya,
Ld. Depttl. Reps.

02
25.03.2025

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.

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 confirming the statement of Mr. Das presents a copy of memo. 985 dated 28.10.2024. As evident from this memo of the Block Land and Land Reforms Office, Dantan-1, Paschim Medinipur to Sub-Divisional Land and Land Reforms Officer, Kharagpur, Paschim Medinipur, the date of birth is accepted to be 03.01.1970/30.01.1970, based on the documents examined by the respondent authority.

Mr. Das draws attention to a copy of representation filed by the applicant before B.L. & L.R.O. dated 18.03.2024 that his date of birth be accepted as 03.01.1970 and he may be allowed to continue his service till he attains the age of 60.

ORDER SHEET

Sri Durgashankar Das

Form No.

Case No. **OA-442 of 2024**

Vs.

The State of West Bengal & Ors.

Having heard the submissions of both the sides and after examination of the records, the Tribunal is satisfied that as per the records and also confirmed by the B.L. & L.R.O. directs that his date of birth should be recorded and accepted as 03.01.1970. Further, his services, if he is otherwise eligible should be allowed to continue till he attains the age of 60. Above direction is given to the respondent no. 2(v), the Sub-Divisional Land & Land Reforms Officer, Kharagpur.

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

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

SS