

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 468 of 2023**

*Bimal Pal* -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and  
Date of order  
01  
08.08.2023

For the Applicant : Mr. Bimal Pal,  
In person.  
For the State respondent : Mr. S.N. Ray,  
Ld. Advocate.

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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for setting aside the impugned order dated 01.02.2023 passed by the Director of Technical Education in terms of this Tribunal's order in OA 28 of 2022 and direct the respondent authorities to count the past service of the applicant from 06.09.1996 for the pensionary benefits and from 01.01.2001 to 01.06.2006 for the benefit under Career Advancement Scheme. The impugned order after considering the matter in detail, comes to the conclusion that the unauthorised absence of the applicant in two spells from 06.01.2003 to 31.07.2003 and from 28.01.2004 to 02.01.2005 "*cannot be regularised as per existing rules and as such there is no question of counting the said period for the purpose of CAS benefit*".

Heard the learned counsel for the State respondents and Mr. Bimal Pal in person for the applicant, the matter is admitted.

Let the matter appear under the heading "**Hearing**" on **10.01.2024**.

Reply and rejoinder, if any, in the meantime.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

CSM/SS