

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 503 of 2023

Md. Alef Akram -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Antariksha Karmakar,
Ld. Advocate.
For the State respondent : Mr. R.K. Mondal,
Ld. Advocate.

03
23.04.2024

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.

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

Mr. Mondal, learned counsel for the State respondents files a copy of G.O. No. 1689 dated 08.11.2012 issued by the Joint Secretary, Department of Fire and Emergency Services. By this order, certain number of Auxillary Fire Operators, Auxillary Fire Engine Operator-cum-Drivers and Auxillary Assistant Mobilizing Officers were engaged on temporary basis for a period of one year. From the contents of this order, it is clear to this Tribunal that the applicant was appointed in a civil post, therefore, the Tribunal has the determination to adjudicate in this matter. It appears that the applicant had joined in terms of the above order as an Auxillary Fire Operator in 2013 at Durgapur Fire Station. Later, while posted at Rampurhat Fire Station as AFO, he got involved in a criminal case and the case was finally closed by the Learned ACJM, Bolpur and by an order dated 04.03.2022, he was acquitted from such criminal case. By filing a representation before the Director General, West Bengal Fire & Emergency Services on 13.02.2023, the applicant has requested for allowing him to join his duty since he has been acquitted from such criminal case.

Having heard the submissions of the learned counsels and considering the facts and circumstances of the case, the Respondent No. 2, the Director General, West Bengal Fire and Emergency Services is directed to consider the representation dated 13.02.2023 filed by the applicant before him and consider the same as per Rules. The fact presented by the applicant that he has been acquitted from the criminal case by an order of Learned ACJM, Bolpur be

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taken into consideration.

Mr. Mondal submits that direction as given above will be complied, if the applicant approaches the Respondent No. 2, the Director General, West Bengal Fire and Emergency Services with all facts and relevant documents.

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

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS