

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Officiating Chairperson & Member (J)

Case No. –OA 523 of 2022

Abani Ranjan Ghosh & Others - VERSUS - The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mrs. S. Agarwal, Learned Advocate.
<u>03</u> 16.11.2022	For the State Respondents	: Mr. G. Halder, Learned Advocate.
	For the Pr. A.G.(A&E), W.B.	: Mr. B. Mitra, Departmental Representative.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

The instant case has been filed basically praying for an extension of benefit of the orders dated 05.06.2017 and 28.07.2022, whereby certain employees were granted pensionary benefit as per the order of this Hon'ble Tribunal. As per the applicants, they are similarly circumstanced to the petitioners of the aforesaid order.

The counsel for the respondent has submitted that the application is premature since the applicants did not approach the authority by making any representation before them. During the course of the hearing, the counsel for the applicants has submitted that it would suffice their purpose, if the concerned authority would be directed to consider their representation dated 30.05.2022 and take decision within the stipulated period of time. The counsel for the respondents has no objection for such consideration.

In view of the above, the respondent no. 2 i.e. Secretary, Food & Supplies Department, Govt. of W.B. is directed to consider the representation dated 30.05.2022 of the applicants and take decision with regard to the entitlement of the applicants as prayed for after verifying

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their entitlement in the light of judgement dated 05.06.2017 and 28.07.2022 and to communicate his decision by way of a reasoned and speaking order within a period of 12 (twelve) weeks from the date of receipt of the order. However, I have made it clear that I have not observed anything with regard to the merit of the case.

The Original Application is, thus, disposed of.

HS

Mrs. URMITA DATTA (SEN)
Officiating Chairperson & Member (J)