

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. - OA-53 of 2021

Michael Murmu. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr. M. N. Roy,
Mr. G. Halder,
Advocates.

2
3.3.2021

For the State Respondents

: Mrs. S. Agarwal,
Advocate.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

Affidavit of service filed today be kept on record.

Since despite service of notice none appears on behalf of the State respondents, Mrs. S. Agarwal, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. Let a copy of the application be served on her which is served and accepted. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mrs. Agarwal.

In this application, Michael Murmu, the applicant, has prayed for several reliefs, the relevant portion of which is as under :

“(a) *An order do issue directing the concerned respondent authorities to forthwith regularize the absence period of your applicant under the establishment within a stipulated time period taking into account the leave application and leave statements as forwarded by the office of the Joint Director, DPPG (Branch Office), Uttar Kanya,*

Siliguri.

(b) An order do issue directing the respondent authorities to allow your applicant to resume his duties with immediate effect and to pay the arrear and current salary in accordance with law, within a stipulated time period.

(c) An further order to issue directing the concerned respondent authorities to forthwith pay arrear salary to your applicant @ 18% interest per annum till the actual date of realization of the same.”

Mr. M. N. Roy, learned advocate for the applicant submits that as it is evident from the representation dated 18th December, 2020 that the applicant was indisposed and could not perform duties and had absented and thereafter made an application for joining duty on 3rd January, 2018 which is pending before the Director, Pension, Provident Fund and Group Insurance, Government of West Bengal –the respondent no. 5, as evident from the page no. 29 of the application, appropriate order may be passed allowing the applicant to join duty.

Mrs. Agarwal, learned advocate appearing on behalf of the State respondents submits if directed, the respondent no. 5 will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case the application is disposed of by directing the Director, Pension, Provident Fund and Group Insurance, Government of West Bengal –the respondent no. 5, to pass a reasoned order regarding the joining of the applicant as U.D.A. in the D.P.P.G.

ORDER SHEET

Form No.

Michael Murmu.

Vs.

Case No. **OA-53 of 2021.**

THE STATE OF WEST BENGAL & ORS.

(Branch Office), Uttarkanya, to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the internet/website, after giving an opportunity of hearing and after verifying the records, including the period of absence.

(SOUMITRA PAL)
CHAIRMAN

S.M.