

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 534 of 2017

Sudhakar Maity -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

18
11.05.2023

For the Applicant : Mr. K. K. Chakraborty,
Ms. S. Das,
Ld. Advocates.
For the State respondent : Mr. S. Ghosh,
Ld. Advocate.
For the Finance Deptt. : Mr. G.P. Banerjee, Ld. Advocate.
For the Pr.AG (A&E), WB : Mr. B. Mitra, Depttl. Rep.

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.

The prayer in this application is for setting aside the Memorandum dated 30.10.2009 issued by the Micro Small & Medium Enterprises Department. The prayer for pensionary benefits to the applicant was considered and rejected in terms of this Memorandum. Appearing on behalf of the applicant, Mr. Chakraborty submits that this applicant like all other similarly circumstanced employees of the organisation were granted the pensionary benefits.

It appears from the records that only the first page of this Memorandum dated 30.10.2009 is available in the records. It is, therefore, necessary that the Tribunal can peruse the other pages of this Memorandum before considering the matter. Therefore, the Respondent No. 2 (ii) i.e. the Director, Micro Small & Medium Enterprises & Textiles Department is directed to submit a clear copy of the Memorandum No. 826-MSET (II)/2S-4/06(I) dated 30.10.2009 before this Tribunal by the next date.

Let the matter appear under the heading "**Further Hearing**" on **27.07.2023**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)