WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 537 of 2017.

BHASAN PAUL– VS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

_22_
7.2.2023

For the Applicant	:	Mr. G. Singh, Advocate.
For the State respondents	:	Mr. S. Ghosh, 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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

It is noted that on previous seven occasions, none had appeared on behalf of the applicant. Today Mr. G. Singh, learned counsel for the applicant has appeared and assures that on future dates, the applicant will be represented by him.

It appears that the application is for a direction to the respondent to absorb the applicant in a permanent employment in a Group D post. The submission of the learned counsel is that the applicant was a DTP Spray worker working under ACMOH, Barrackpore. Submission is that similar employees were absorbed permanently as Group D under the directions from the Hon'ble Tribunal and Courts.

Mr. S. Ghosh, learned counsel appears on behalf of the State respondents submits that the applicant was a seasonal worker and his service was not continuous. As per the judgement of the Apex Court in Uma Devi, the applicant does not fulfil the criteria and thus is not eligible to be absorbed in a permanent Group D post.

Both the learned counsel pray for time to submit relevant Apex Court judgements on the next day.

Let the matter appear under the heading "For Orders" on 13th July, 2023.

Skg.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Form No.

BHASAN PAUL.

-Vs-

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THE STATE OF WEST BENGAL & ORS.

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