

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-538 of 2023

Anjan Ray Chaudhury. -- **VERSUS** – The State of West Bengal & Others

Serial No. and
Date of order

For the Applicant

: Mr. A. Dutta,
Learned counsel.

08
21.03.2025

For the State Respondents

: Mr. S. N. Ray,
Learned counsel.

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.

The applicant has prayed for directing the respondent authorities to preponing / ante dating the benefit of promotion through CAS from Stage-II to Stage –III.

A written notes of argument has been filed by Mr. A. Dutta, learned counsel for the applicant.

In terms of direction of this Tribunal dated 29.09.2022, the Director of Public Instruction passed the reasoned order dated 10.04.2023. The reasoned order after giving the facts of the case selects the following two points for consideration :

- (1) Whether the applicant is entitled to the promotional benefit from stage II to stage III under CAS with effect from 19.11.2012 as prayed for in modification of the earlier notification No. 2168-Edn(A)/4A-62/01 (Pt-9) dated 26-12-2019 ?
- (2) Whether the applicant is entitled to the promotional benefit from Stage III to Stage IV under CAS w.e.f. from 19-11-2015 and for that suspension period from 20.01.2016 to 17.01.2017 would not stand in the way of getting the said benefit ?

After explaining and showing the various pay scales, the applicant was given, it comes to the conclusion that the contention of the

ORDER SHEET

Anjan Ray Chaudhury.

Form No.

Case No. **OA-538 of 2023**

Vs.

The State of West Bengal & Ors.

applicant could not be sustained and therefore, rejects the representation dated 18.07.2022.

Incidentally, this rejection covered in the reasoned order dated 10.04.2023 is not the subject matter under challenge. Without assailing the Reasoned Order, the applicant's prayer in this application is not valid and thus defective.

This application is dismissed.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

S.M.