

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 575 OF 2021

SUBHASH KONAI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr.Manujendra Narayan Roy
Advocate

03

19.05.2022

For the State respondents

: Mr. Soumendra Narayan Ray
Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6 (5) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed today be kept on record.

In this application, Subhash Konai, the applicant, has prayed for a direction upon the respondents to pay enhanced monthly remuneration as casual worker as per memo. dated 20th May, 2013 issued by the Finance Department, Government of West Bengal as well as memo. dated 25th February, 2016 also issued by the Finance Department, Government of West Bengal. Prayer is also for a direction upon the respondents to allow the applicant to work as Night Guard (Group-D Staff) in the office of the Superintendent of Excise, Murshidabad, Berhampore under the District Magistrate and Collector uninterruptedly and to pay his remuneration as per memo. dated 6th September, 2011, memo. dated 20th May, 2013, memo. dated 25th February, 2016 as well as memo. dated 8th February, 2019. Further prayer is for a direction upon the respondents to release enhanced monthly remuneration of Rs. 19,000/- for Group-D Staff only as per memo. dated 6th September, 2011, memo. dated 20th May, 2013, memo. dated 25th February, 2016 and memo. dated 8th February, 2019 and to pay the arrear remuneration as

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per circulars dated 2013 and 2016 from 2011 till date.

It is submitted by Mr.M.N.Roy, learned advocate since the applicant was engaged as Night Guard against sanctioned post and is entitled to enhanced remuneration and though several representations were filed before the respondent authorities, as those have not been considered, aggrieved this application has been filed.

Mr.S.N.Ray, learned advocate appearing on behalf of the State respondents submits, if directed, the respondent authorities will consider the matter in accordance with law and the notifications issued thereunder.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation afresh before the Secretary, Department of Finance, now designated as Principal Secretary, Finance Department, Government of West Bengal, the respondent no. 1 within four weeks along with a copy of this order downloaded from the website of the Tribunal. If representation is filed, same shall be disposed of by the Principal Secretary, Finance Department, Government of West Bengal by passing an order to be communicated to the parties within eight weeks, after giving an opportunity of hearing and after verifying the records. If it is found, the applicant is entitled to the reliefs as prayed for, the financial benefits shall be released within eight weeks thereafter on compliance of formalities, if any by the applicant. In that event the applicant would be informed about the formalities to be complied with within a week from the date of passing the reasoned order.

BLR

(SOUMITRA PAL)
CHAIRMAN