

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman**

**Case No. - OA 59 OF 2021**

**DR. NIRMALENDU PURKAYASTHA - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. B.R. Neogi, Mr. A.K. Niyogi, Advocates
<u>02</u> 03.03.2021	For the Respondent	: Mr. S. Ghosh, Advocate
	For the P.S.C., West Bengal	: Mr. S. Bhattacharya, Advocate

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

Let affidavit of service filed be kept on record.

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

In this application, Dr. Nirmalendu Purkayastha, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:

- “a) A direction upon the respondents to forthwith allow the applicant the benefit of Career Advancement Scheme by way of upliftment of scale of pay after 8 years, 16 years and 25 years of service and re-fix and revise the pay of the applicant and to pay the applicant all arrears of salaries and allowances with interest at market rate;”

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**DR. NIRMALENDU PURKAYASTHA**

Case No. **OA 59 OF 2021**

Vs.

**THE STATE OF WEST BENGAL & ORS.**

It is submitted by Mr. B.R. Neogi, learned advocate appearing on behalf of the applicant that though the applicant is entitled to the benefit of Career Advancement Scheme by upliftment of scale of pay after eight years, sixteen years and twenty five years of service and for re-fixation and revision of pay and for payment of the arrear salary and though a representation dated 3<sup>rd</sup> March, 2020, appearing at page 32 of the application, was furnished before the Director of Health Services, Government of West Bengal, Kolkata, the respondent no.4, however, no steps have been taken. Aggrieved, the Original Application has been filed. Submission is that the said respondent no.4 may be directed to consider the said representation.

Mr. Ghosh, learned advocate for the State respondents submits that if directed, the respondent authorities 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 and as prayed for on behalf of the applicant, the application is disposed of by directing the Director of Health Services, Government of West Bengal, Kolkata, the respondent no.4 to dispose of the representation dated 3<sup>rd</sup> March, 2020 by passing a reasoned order to be communicated to the parties within fifteen 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. I make it clear that I have not gone into the merits of the matter and all points are left open to be dealt with by the said respondent no.4.

(SOUMITRA PAL)  
CHAIRMAN