

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. - OA 629 OF 2023

ANIRUDDHA GHSH - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. Kallol Basu,
and Mr. Suman Banerjee,
Date of order : Advocates
For the State Respondents : Mr. S.N. Ray,
Advocate
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05.09.2024

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 prayer in this application is for a direction to the respondent authority to count the past service of the applicant from 06.08.2002 and give effect of promotion from Assistant Professor Stage 1 to Stage 2 with effect from 06.08.2008. In short, the applicant was appointed on contractual basis as Lecturer in Kalyani Government College on 06.08.2002. Later his service was regularised by an order dated 24.10.2008 giving effect from 01.02.2006. Mr. Basu, learned counsel for the applicant draws attention to serial No.1 (e) of a notification No.224 dated 16.03.2018, which deals with granting of Career Advancement Scheme to the Lecturers in Government Engineering and Technology College. Submission is that by wording of this notification it is very clear that the applicant is entitled for such benefit since he has already fulfilled all the eligibility criterias as mentioned at 1(e)(i) to (iv).

However, Mr. Ray, learned counsel begs to differ and submits that such notification referred to by Mr. Basu deals only with Career Advancement Scheme, whereas his primary prayer is for counting past service and promotion from Stage 1 to Stage 2. In this regard notification No.492 dated 19.11.2015 is relevant. Mr. Ray wishes to submit further with the support of a reply on behalf of the State respondents on the next date.

The matter is admitted.

Let such reply be filed and a copy be served and rejoinder, if so wished, in the meantime. Matter to appear on 05.03.2025 under the heading "Hearing".

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.