

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 631 OF 2022

SUJIT DOLUI - VERSUS - THE STATE OF WEST BENGAL & ORS.

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|---------------------------------|--------------------------|---|----------------------------------|
| Serial No. and Date of order | For the Applicant | : | Mrs.M.Dhar Chowdhury Advocate |
| <u>04</u> 27.03.2023 | For the State Respondent | : | None |

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.

On consent of the Learned counsel, the case is taken up for consideration sitting singly.

The prayer in this application is for modification of the impugned final gradation list of qualifying regular Group-D employees under the Public Works (Roads) Directorate published on 26th August, 2022. Submission of Mrs.M.Dhar Chowdhury is that despite the applicant being a qualified regular Group-D employee, his name has not been included in the final Gradation list as stood on 01.08.2022. In this regard, the Superintending Engineer, Eastern Highway Circle, P.W. (Roads) Directorate on 11.02.2020 wrote to the Chief Engineer (Head Quarter), P.W. (Roads) Directorate, in which, at para-4, the application of Sujit Dolui for issuing a corrected confirmation letter for his appointment on regular establishment was recommended.

Mrs. M. Dhar Chowdhury, learned counsel also refers to Page-20, which appears to be a Corrigendum Order issued by the respondents on 25.06.2019 correcting appointment of Sujit Dolui, Roller Guard as “Regular Establishment” and not “Work Charge Establishment”. Submission of Mrs.M.Dhar Chowdhury is that since the appointment of the applicant has been corrected on 25.06.2019 as a Regular Establishment employee, therefore his name should have been included in the final combined Gradation list of

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qualified regular Group-D employees.

After hearing the submission of the learned counsel, the application is disposed of by directing the Chief Engineer (Head Quarter), P.W. (Roads) Directorate, the Respondent No. 2 to consider the letter of Superintending Engineer, Eastern Highway Circle, P.W. (Roads) dated 11.02.2020 and the Corrigendum order issued on 25.06.2019 for inclusion of his name in the final combined Gradation list of qualified regular Group-D employees, if Rule allows and other criterias are met.

The application is disposed of.

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

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