

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. –OA 659 of 2021

**Tapan Kumar Kar - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and  
Date of order

02  
08.10.2021

For the Applicant : Mrs. B. Ghoshal,  
Advocate  
For the State respondents : Mr.G.P.Banerjee  
Advocate

Affidavit of service filed be kept on record.

In the application, Tapan Kumar Kar, the applicant who was appointed in the post of Sub-Registrar on 19<sup>th</sup> June, 1996 under the Inspector General of Registration and Commissioner of Stamp Revenue, Government of West Bengal on temporary basis and confirmed on 28<sup>th</sup> September, 2001 and subsequently promoted and at present District Registrar in the district of Paschim Medinipore with effect from 7<sup>th</sup> April, 2017, has prayed for several reliefs, the relevant portion of which is as under:

“a) *To direct the concerned respondents, more particularly the respondent no. 2 to release the 16 years' service benefits to the applicant in strict compliance of the notification issued by the Government of West Bengal time to time, forthwith;*

b) *To direct the concerned respondents, more specifically the respondent no. 2, to pay the entire arrear amount due to the applicant upon granting him the benefits of completion 16 years' service, with effect from, 28.09.2017, till the date of actual payment, along with the interest accrued therein, forthwith;”*

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The grievance of the applicant is though after completion of 8 years of permanent service he has been granted service benefits, that is, CAS, with effect from 28<sup>th</sup> September, 2009, in the pay band scale no. 4 as per the Directorate's notification/circular dated 13<sup>th</sup> September, 2010, however, even after completion of 16 years of service he is yet to be granted MCA benefit of the next pay band. Submission is though representation dated 24<sup>th</sup> August, 2020 was submitted before the OSD & Ex-Officio Secretary, Finance Department and the Inspector General and Registration and Commissioner of Stamp Revenue, West Bengal the respondent no. 2, whereby it was pointed out that juniors to him have been given the MCA benefits, the case of the applicant is yet to be considered. Subsequently, a further representation dated 26<sup>th</sup> November, 2020 was furnished before the respondent no. 2 which has not been considered. Thereafter, a letter dated 29<sup>th</sup> April, 2021 demanding justice was furnished before the said respondent no. 2, however, it has not been considered. Aggrieved, this application has been filed.

It is submitted by Mrs. B. Ghoshal, learned advocate for the applicant since the applicant is entitled to MCA benefits under the law, appropriate order may be passed directing the respondent to grant the same at the earliest.

Mr. G.P. Banerjee, learned advocate for the State respondents submits that if directed, the respondents 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, the application is disposed of by directing the Inspector General and Commissioner of Stamp Revenue, the respondent no. 2 to dispose of the representations dated 24<sup>th</sup> August, 2020 and 26<sup>th</sup> November, 2020 by passing a reasoned order with regard to the grant of MCA

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benefits to the applicant, to be communicated to the parties with fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after giving an opportunity of hearing and after verifying the records.

Rajib

( SAYEED AHMED BABA)  
MEMBER (A)

(SOUMITRA PAL)  
CHAIRMAN

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