

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 66 of 2023

Rabindranath Pramanik - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

04
15.12.2023

For the Applicant : Mr. G. Halder,
Learned Advocate.
For the State Respondents : Mr. S. Ghosh,
Learned Advocate.

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 counsels for the parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to enhance his wages as per Notification dated 05.08.2019, 15.07.2019 and 08.02.2019 issued by the Finance Department after setting aside the impugned order passed by the Principal Secretary on 21.12.2022.

Submission of Mr. Halder is that the reasoned order has not considered the actual facts pertaining to the applicant's service. According to him, applicant has worked for more than 240 days in a year and completed more than 10 (ten) years in such service.

Responding on behalf of the state respondents, however, Mr. Ghosh reading from the reasoned order submits that the applicant was purely a contractual worker working as a Barber from 5.30 am to 11.00 a.m. More important is the fact that the applicant as a part time Barber was not appointed against any regular and sanctioned post. Therefore, the applicant cannot claim such benefits in terms of the above

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Form No.

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Vs.

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THE STATE OF WEST BENGAL & OTHERS.

Notifications.

ORDER RESERVED.

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

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