

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

The Hon'ble Mr. Sayeed Ahmed Baba, Member (A).

Case No. –OA 66 of 2020

Bijali Dhar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>05</u> 16.09.2021	For the Applicant	: Mr. A. Hati, Ld. Advocate.
	For the State Respondent	: Mr. S.N. Ray, Ld. Advocate.
	For the Principal AG, WB	: Mr. B. Mitra, Departmental Representative.

Mr. B. Mitra, Departmental Representative of the Principal AG, WB has submitted that since the applicant has been asking for benefit under Career Advancement Scheme, which has to be decided by the State Respondent, therefore, at present they have nothing to do with the case. Mr. Mitra has prayed that name of Principal AG, WB may be expunged from the array of respondent of this petition. Prayer is allowed.

During the course of the hearing, the counsel for the applicant has submitted that it would suffice her purpose if the respondent authority would be directed to consider the representation dated 25.05.2019 (Annexure-E) within a stipulated period of time.

The counsel for the respondent has submitted that the applicant has come before the authority as well before this Tribunal after a long time specially when the other employees approached before the court in earlier occasions. Therefore, the applicant is a fence sitter who may be entitled for the Career Advancement Scheme benefit but not other benefit.

Heard both the parties and perused the records.

In view of the above, the Secretary to the Government of West Bengal, Department of Women & Child Development and Social Welfare, is directed to consider the representation of the applicant dated 25.05.2019 and communicate her decision within a period of eight weeks from the date of receipt of the order after granting her opportunity of hearing. However, we have made it clear that we have not observed anything on the merit of the case.

Accordingly, the OA is **disposed of** with no other as to cost.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

SS

SAYEED AHMED BABA
Member (A)

Mrs. URMITA DATTA (SEN)
MEMBER (J)