

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. –OA 672 of 2022

West Bengal Subordinate Food & Supplies Service Association & Others. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicants	: Mr. M. N. Roy, Mr. G. Haldar, Advocates.
<u>02</u> 09.11.2022.	For the State Respondents	: Mr. G. P. Banerjee, Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 354-WBAT/2J-15/2016 dated 18th May, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed today be kept on record.

The instant application has been filed praying for following reliefs:-

“8.(a) An order do issue directing the respondent authorities to re-fix pay and allowances of the applicants holding the post of “Chief Inspector” in Subordinate Food & Supplies Service Grade-I (from the date of joining the promotional post) in Pay Band-4 Rs. 9000-40500 + Grade Pay of Rs. 4400/- (Pre-Revised Scale No. 12 i.e. Rs 4800-175-5850-200-6650-225-8675-250-10925) in terms of West Bengal Services (Revision of Pay and Allowances) Rules, 2009 followed by further revision in terms of West Bengal Services (Revision of Pay and Allowances) Rules, 2019 and after re-fixation of the pay the applicants be paid

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the enhanced pay and allowances month by month and also pay the arrear arising out of such re-fixation within a stipulated time period.

(b) An order do issue directing the respondent authorities to pay the arrears salaries and other benefits after re-fixation of your applicants pay with effect on and from the date when they were entitled to along with an interest @ 18% per annum till the actual date of realization of the same.

(c) Leave be granted under Rule 4 (5)(a) of the West Bengal Administrative Tribunal (Procedure) Rules, 1994 to file a single application by more than one applicant having regard to the cause of action and nature of relief prayed for, being the same.

(d) An order do issue directing the respondent authorities to pay interest on the arrear amount @ 18% P.A. till the actual realization.

(e) Any other appropriate order/orders direction/directions as this Hon'ble Tribunal may deem fit and proper in the interest of justice."

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However, during the course of hearing, the counsel for the applicants has referred one judgement dated 21.07.2022 passed in OA-858 of 2016 and has submitted that it would suffice his purpose, if the respondents would consider his case in the light of the aforesaid judgement within a stipulated period of time.

The counsel for the respondents has no objection to such proposition.

In view of the above, the respondent is directed to consider the case of the applicants in the light of the judgement dated 21.07.2022 passed in OA-858 of 2016 and communicate his decision with follow-up action by way of reasoned and speaking order within a period of four months from the date of receipt of the order.

Accordingly, the OA is disposed of with no order as to costs.

Let a copy of the order be kept on record.

URMITA DATTA (SEN)
MEMBER (J)

S.M.