

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 735 of 2023.

AVIJIT SARKAR - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

03
11.11.2024

For the Applicant : Mrs. M. Roy Dey,
Learned Advocate.
For the State Respondents : Mr. G. Halder,
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.

The applicant has filed this application praying for setting aside the impugned order dated 11.07.2023 passed by the Joint Secretary, Public Works Department. The impugned order after giving few grounds had regretted the application of the applicant praying for an employment under compassionate ground. The primary reason for such rejection was that the deceased employee, the mother of the applicant was a work -charged establishment and her service was not under any regular establishment. Mrs. Roy Dey, learned counsel refers to an order dated 12.07.2022 of Superintending Engineer, State Highway Circle No. III. This order refers to conversion of work- charged employees into permanent regular establishment after completing ten years of service in pursuance of Finance Department's order No. 5428F dated 19.12.1966 and 4026F dated 22.04.1974 and P.W.(Roads) Directorate order No. 2042/I(20)R/E Dt. 02.11.1999.

Mr. Halder, learned counsel for the State respondents refers to memo 7315-F(P) dated 20.07.2011 of the Finance Department and submits that as stated in this Memorandum, work-charged employees will not be regularised in permanent establishment.

Heard learned counsels.

Order is reserved.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Skg/SM.

ORDER SHEET

Form No.

SRI SONTOSH KUMAR SARKAR.

-Vs-

Case No. OA 257 of 2024.

THE STATE OF WEST BENGAL & ORS.

WEST BENGAL ADMINISTRATIVE TRIBUNAL