

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-736 of 2021

Ekteswar Adhikary VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. N. Dutta, Mr. I. Roy Learned Advocates.
<u>04</u> 13.05.2022	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. 118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

On consent of both the parties, matter has been taken up.

The instant application has been filed praying for extension of benefit of Circulars dated 20.05.2013 and 25.02.2016 by way of enhancing the remuneration of the applicant, who is working as a daily rated worker since 2018. As per the applicant, though this Tribunal vide order dated 12.04.2018 disposed of earlier OA-728 of 2017 with a direction to the respondent authority to consider the representation of the applicant and to pass a reasoned and speaking order. In compliance to that, the Executive Engineer (Agri-Mechanical) Midnapore Circle had found him eligible as per G.O. dated 20.05.2013 subject to the approval of the higher authority. Thereafter, Director of Personnel and Ex-Officio Chief Engineer also referred the case of the applicant to the Joint Secretary to the Govt. of West Bengal, W.R.I.D.D. Deptt. for taking final decision. However, till date no final decision has been communicated to him. Being aggrieved he has filed this instant application.

The counsel for the respondent has submitted that though the lower authority has found him eligible to get the benefit of the circular of 2013 and 2016, therefore, the Secretary of the concerned Department

ORDER SHEET

Form No.

Ekteswar Adhikary

Vs.

Case No. **OA-736 of 2021**

The State of West Bengal & Ors.

is the highest authority to take final decision in this regard. The counsel for the respondent has prayed for one accommodation to take instruction whether the case of the applicant has been finally considered by the Secretary or not. Prayer is allowed. Let the matter be listed on **10.06.2022** under the same heading.

URMITA DATTA (SEN)
MEMBER (J)

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