

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 751 OF 2023**

SHAMBHU LAYE - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

01
02.01.2024

For the Applicant	:	Mr.R.De Mr.S.Ghosh Advocates
For the State respondents	:	Mr.Soumendra Narayan Ray 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 contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the reasoned order passed by the Director of ICDS on 27.04.2023 rejecting the application for adsorption of the applicant in a permanent post. In terms of a direction of this Tribunal in OA-703 of 2019, the respondent authority was directed to consider the application and take a final decision.

From the submissions and records in this application, it appears that the applicant could not fulfil the eligible criteria for such absorption as stipulated in Memo. 9008-F(P) dated 16.09.2011. For instance, one of the important criteria required for the employee was to have worked continuously for at least 240 days in a year. However, the applicant has not been able to substantiate with any document to prove that he had worked for such a period in a year. Further, the applicant seems to have failed to produce any document relating to his appointment against a

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sanctioned post. This is also an important criteria under the rules for eligibility to be absorbed in a permanent post.

From the above findings, the Tribunal observes that the applicant was not found eligible for absorption in a permanent post and the reasoned order was passed after consideration and such prayer was regretted.

From the above observation, this Tribunal is of the view that the applicant could not fulfil any of the eligibility criterias. Thus, no order is passed in this application and this application is disposed.

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

BLR