

**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 76 OF 2020**

**SAROJ KUMAR BANERJEE & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS**

Serial No. and  
Date of order

For the Applicants : Mr.M.Karim  
Mr.A.Samad  
Advocates

16  
19.11.2024

For the State Respondents : Mrs.Sunita Agarwal  
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 23<sup>rd</sup> 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 applicants, since retired, have prayed in this application for a direction to the respondent authorities to give them notional promotion to the post of Assistant Evaluation Officer with effect from the date they became eligible for such post. The applicants had superannuated during 2016-2019 holding posts like Statistical Supervisor, Filed Supervisor and Statistical Assistant. Mr.Karim, learned counsel submits that though the applicants became eligible for promotion to the post of Assistant Evaluation Officer, but due to pendency of the application being OA- 1532 of 2013, the Department was not in a position to give effect to the promotion to the applicants. Mr.Karim also narrates that when the OA-1532 of 2013 was finally disposed of in 2019, by then, the applicant had already superannuated.

Mr.Karim, further relies in an order of this Tribunal passed in OA-100 of 2018 and submits that in terms of a direction of this Tribunal, the respondent authorities considered the representation of Debasish

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Bandyopadhyay, the applicant in that application and granted promotion notionally. Submission is that the applicants in this application are also similarly circumstanced and a similar direction as in OA-100 of 2018 may be given by the Tribunal. Mr.Karim wishes to file a copy of the consideration order made by the respondent authorities in terms of a direction of the Tribunal in OA-100 of 2018.

Let such a copy be filed before this Tribunal and a copy be served upon the other sides. Let the matter appear under the heading 'Hearing' on 11<sup>th</sup> March, 2025.

The Tribunal finds Respondent No. 5, the Principal Accountant General (A&E) West Bengal not a necessary respondent. Let the name of the respondent No.5, the Principal Accountant General (A&E) West Bengal be expunged from the array of the respondents.

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

BLR