

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 769 of 2023

Anand Kumar Jaiswara & Ors. - Vs - The State of West Bengal & Others.

Serial No. and
Date of order

For the Applicant : Mr. K. Bera,
Learned Advocate.

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08.01.2024

For the State Respondents : Mr. G.P. Banerjee,
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.

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

The applicants have prayed for a direction to the respondent authorities to grant them Pay Band No. 3 with Grade Pay of Rs. 3,900/- under ROPA-2009 corresponding to Pay Scale No. 10 under ROPA 1990 on and from the date of their appointment to the post of Inspector to the Food & Supplies Department.

Submission of Mr. Bera, learned counsel for the applicant is that in similar matters for the applicants holding similar post of Inspector, respondents have allowed such benefit to the applicants by the direction of the Tribunal. One reference is made to one such application being No. OA-296 of 2022 in which by order dated 17.08.2022, the Principal Secretary to the Department was directed to consider their case. Reference is also made page 39 of order No. 3827 dated 16.09.2022.

Appearing on behalf of the state respondents, Mr. Banerjee, learned counsel submits that if similar directions are given to the

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respondent authorities, the same will be complied as per rules.

Having heard the submissions of the learned counsels and considering the fact that similar prayers in earlier applications were considered by this Tribunal, this application is disposed of by directing the Respondent No. ii) The Principal Secretary, Food & Supplies Department to consider the case of the applicants for granting Scale No. 10 under ROPA 1990 from the date of appointment to the post of Inspector after verifying their records and after eligibility of the applicants for such benefit within a period of four months from the date of communication of this order. The arrear pay, if claimed by the applicants be considered by the judgement of the Hon'ble Apex Court in the case of Union of India Vs. Tarsem Singh reported in (2008) 8 SCC 648.

Accordingly, the application is disposed of.

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

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