

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,** **HON'BLE CHAIRMAN.**

Case No. – OA 819 of 2021.

GANESH DATTA & ORS – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mr. Sekhar Mustaphi, Advocate.
<u>3</u> 11.4.2022	For the State Respondents	: Mr. Ranjit Kumar Mondal, 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.

As prayed for by Mr. Sekhar Mustaphi, learned advocate for the applicant, leave granted to add the Executive Engineer, P.W.(Roads) Directorate, - as respondent no. 8 as a party respondent by amending the cause title of the application in course of this day.

In this application, the applicants Ganesh Datta, Suren Barman, Abinash Barman, Samsuddin Mia, all casual daily rates workers, have prayed for certain reliefs, the relevant portion of which is as under :-

“a) An order or direction do issue directing the respondents their agents and subordinates to pay the arrear salaries of 36 months to the applicants.

b) An order or direction do issue directing the Respondents their agents and subordinates to pay the applicants of their arrear salaries of 36 months w.e.f. 01.03.2016 to 28.02.2019 in terms of order No. 2171-E/E-1/2M-67/2018 dated 17.09.2018 (Annexure ‘A’).

c) An order or direction do issue directing the respondents to consider the matter and to pay all arrear dues to the applicants forthwith....”.

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Heard Mr. Mustaphi.

Mr. Ranjit Kumar Mondal, learned advocate for the State respondents submits on instruction from the Executive Engineer, National Highway Division –X, PWRD , Alipurduar that though the applicants are entitled for the arrear wages, however, it cannot be disbursed as they are awaiting reply to the requisition for payment of bills made on 28th January, 2021, 24th June, 2021 and 25th February, 2022 before the higher authority. Prayer is time may be granted for sanction and for disbursing the amount. Let copies of the memo dated 28th January, 2021, 24th June, 2021 and 25th February, 2022 filed on behalf of the respondents be kept on record.

Since the respondents do not dispute that the applicants are entitled to arrear wages of thirty-six months, considering the said fact the application is disposed of by directing the Executive Engineer, P.W.(Roads) Directorate, - the respondent no. 8, the added respondent, to disburse the arrear wages of the applicants for thirty-six months within six months from the date of presentation of a copy of this order downloaded from the website of the Tribunal.

(SOUMITRA PAL)
CHAIRMAN.

Skd.

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