

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 858 OF 2021

ARUN KUMAR BHADURI - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mrs. Sikta Roy, Advocate
<u>3</u> 28.06.2022	For the State Respondent Nos. 1 to 6	:	Mr. Gautam Pathak Banerjee, Advocate
	For Respondent No.4 Principal A.G., West Bengal	:	Mr. Biswanath Mitra Government Representative

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.

In the application, Arun Kumar Bhaduri,- the applicant, an ex-lecturer in Mechanical Engineering in BPC Institute of Technology, Krishnagar, Nadia, - who had superannuated on 31st August, 2001, has prayed for certain reliefs, the relevant portion of which is as under:

“a) An Order do issue directing thereby the concerned respondent authorities to forthwith consider and dispose of the prayer of the applicant for the extension of benefits under Career Advancement Scheme.

b) In view of the fact of the case an Order do issue directing the concerned respondent authorities to forthwith fix the proper scale of pay of the applicant taking into account the force and the application of the circular dated 24/10/2007 bearing no.926-TET(Poly)/5P-3/2006 and release the pension upon fixation of pay scale along with arrears and interest.”

Relying on the original application, it is submitted by Mrs. Sikta Roy, learned advocate for the applicant since a representation dated 24th April, 2018

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was submitted before the Principal / Officer-in-Charge, B.P.C. Institute of Technology, Krishnagar, Nadia, it may be directed to be considered.

Mr. Gautam Pathak Banerjee, learned advocate appearing on behalf of the State respondents, referring to the intimation dated 8th January, 2021, issued by the Senior Accounts Officer / Legal Cell, Indian Audit and Accounts Department, Principal Accountant General (A&E), West Bengal, submits if direction is given for extension of benefit of Career Advancement Scheme, in tune with the memo dated 24th October, 2007 with retrospective effect from 1st January, 1996 and if the applicant complies with the stipulations in the intimation dated 24th February, 2021, issued by the Officer-in-Charge of the Institute to the applicant regarding submission of three years assets statements prior to the date of the CAS benefit, it will be considered in accordance with law.

In reply it is submitted that liberty may be granted to the applicant to file representation before the authorities praying for grant of CAS benefit.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation praying for grant of CAS benefit before the Director-in-Charge, Technical Education and Training, Government of West Bengal, Kolkata, the respondent no.3 within four weeks along with a copy of this order downloaded from the website of the Tribunal. If representation is filed within the time as stipulated, the respondent no.3 shall dispose of the same by passing a reasoned order to be communicated to the parties within eight weeks after giving an opportunity of hearing and after verifying the records and after considering the memo dated 24th October, 2007 and if the applicant submits three years assets statement prior to the date of his CAS benefit.

SCN.

(SOUMITRA PAL)
CHAIRMAN