

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 879 of 2021

Biswajit Das - Vs - The State of West Bengal & Others.

Serial No. and
Date of order

09
11.01.2024

For the Applicant	:	Mr. P.S. Das, Learned Advocate.
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, the matter is taken up for consideration sitting singly.

The applicant has prayed for setting aside the order No. 2230 dated 04.09.2020 and thereafter a direction to promote him from the post of Group-D (Peon) to the post of L.D.A. The applicant being a physically handicapped person is aggrieved by the promotion order dated 04.09.2020 by which several Group-D employees were promoted to the post of L.D.A. Such promotions were guided by Memo No. 2230 dated 04.09.2020 which laid down the eligibility criteria. From the submission of the learned counsel for the applicant, it appears that the candidature of this applicant as a physically challenged person was not considered though he fulfils all other eligibility criteria.

In response, Mr. Banerjee submits that in the 50 point roster, there is no reservation for such physically challenged employees. Therefore, the promotion of this applicant was not considered. The applicant was aggrieved that though his name appeared in the final list of qualified Group-D employees but the applicant was not promoted to

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the post of L.D.A. In this regard the applicant had furnished a representation before the respondent authorities on 10.09.2021 stating that he is 40% physically challenged person and though he was eligible and recommended but promotion to the post of L.D.A. under the physically challenged category was declined.

Responding to the representation filed by the applicant, Mr. Banerjee submits that if a direction is to be given to the respondent authority, the same will be considered as per law.

Having heard the submissions of the learned counsels, this application is disposed of by directing the Deputy Secretary, Respondent No. 4 to consider the representation filed by the applicant before the authorities dated 10.09.2021 and dispose of the same after passing a reasoned order within a period of eight weeks from the date of communication of this order.

Accordingly, the application is disposed of.

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

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