

**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 887 OF 2021**

**MADAN MOHAN MAITY - VERSUS - THE STATE OF WEST BENGAL & ORS.**

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| Serial No. and<br>Date of order | For the Applicant   | : | Mr.Soumendra Narayan Ray<br>Advocate  |
| <u>06</u><br>28.02.2023         | For the State respondents                                 | : | Ms. Ruma Sarkar<br>Mr.Sourav Debray<br>Mrs.A.Bhattacharya<br>(Departmental Representatives) |
|                                 | For the Principal Accountant General<br>(A&E) West Bengal | : | Mr.B.Mitra<br>(Departmental Representative)   |

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 prayer in this application is for setting aside the impugned order dated 18.02.2021 which rejected the prayer of the applicant for pension after counting the past service as a casual worker from 01.01.1976 to 1984.

Mr.S.N.Ray, learned counsel for the applicant submits that the past service of the applicant in the capacity of casual worker was not taken into account for counting the qualifying service to make him eligible for pension.

Ms.R.Sarkar, submits that in terms of an order of the Hon'ble High Court and subsequent notifications issued by the Department, the eligibility of the applicant was examined and was found not eligible for counting of his past service to qualify for pension.

Ms.R.Sarkar, prays for adjournment so that suitable reply will be filed by

**ORDER SHEET**

Form No.

**MADAN MOHAN MAITY**

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the next date on behalf of the respondent.

Let the matter appear under the heading “For Order” on 6<sup>th</sup> June, 2023.

Reply and rejoinder, if any, in the meantime.

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

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