

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. – OA 896 of 2021

SAIDUL SK. @ SAIDUL SEKH - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicants : Mr. Gautam Pathak Banerjee,
and Advocate
Date of For the State Respondents : Mrs. Sunita Agarwal,
order Advocate
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20.06.2022

In this application, Saidul Sk. @ Saidul Sekh, the applicant has prayed for several reliefs, the relevant portion of which is as under:

“a) A mandatory order be passed forthwith by this Tribunal by directing the respondents, their men and agents and each of them regularise the service of the applicant in the permanent establishment as Group ‘D’ employee according to the policy decision of the Government and after regularise his service by treating him as regular employee release the retiral benefits to the applicant forthwith.”

It is submitted by Mr. Gautam Pathak Banerjee, learned advocate for the applicant though the applicant is working as Group ‘D’ employee in the Murarai Block Medical Rural Hospital, Murarai Block, Birbhum since 2000, no steps have been taken for regularising his service.

Mrs. Sunita Agarwal, learned advocate appearing on behalf of the State respondents submits that the applicant is a temporary staff and no order may be passed.

Refuting such submission, it is submitted by Mr. Banerjee since it is evident from the memo dated 27th September, 2021, issued by the Block Medical Officer of

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Health, Murarai Rural Hospital, Murarai-I, Birbhum, the respondent no.4 that disciplinary proceedings have been drawn up against the applicant, it is clear that he is a permanent staff. Submission is since by letter dated 11th October, 2021, addressed to the respondent no.4, prayer was made for giving salary and making his service permanent, appropriate direction may be issued for confirming the service of the applicant in the Group 'D' post.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Chief Medical Officer of Health, Birbhum, the respondent no.3 to dispose of the representation dated 11th October, 2021 by passing a reasoned order to be communicated to the parties within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after giving an opportunity of hearing and after verifying the records.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

WEST BENGAL ADMINISTRATIVE TRIBUNAL