

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present- *

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 90 of 2024

Ranjit Saibyo -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Tanuka Basu,
Ld. Advocate.

For the State Respondent : Mr. S.N. Ray,
Ld. Advocate.

04

09.01.2025

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.

Ms. Basu, learned counsel has submitted that the respondent authority was wrong in rejecting the application on the ground that the deceased employee was a work charged employee. The respondent authority has relied on Notification No. 251-Emp. which came into force from 03.12.2013 only whereas the deceased employee had died on 06.05.2010. At the time of death of the employee, the notification regretted on by the respondent authority was not in force. Ms. Basu also presents a copy of Hon'ble High Court in WPO/1786/2023 reported in the case of Amar Guha Roy v. The State of West Bengal & Ors. Which emphasises on para 13. A copy of Memo No. 6060-F dated 25.06.1979 of the West Bengal Services (Appointment, Probation and Confirmation) Rules, 1979 has also been relied on by Ms. Basu.

Mr. Ray, learned counsel also wishes to present copies of relevant Hon'ble Supreme Court Judgments. Let such copies be presented before this Tribunal and copies be served.

Let the matter appear under the heading “For Orders” on 14.05.2025.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS