

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J) &  
Hon'ble Sayeed Ahmed Baba, Member (A)**

**Case No – OA-918 of 2017**

Anandamoyee Banerjee **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order For the Applicants : Mr. A.B. Ghosh,  
Learned Advocate.

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02.03.2022 For the State Respondent : None.

As per the applicant, she was initially appointed as I.C.D.S., Supervisor at Manbazar-I, I .C.D.S. Project on 30.08.1982. Thereafter she was promoted to the post of A.C.D.P.O. in the month of March, 2006 and was posted at Bandwan I.C.D.S. Project, Purulia. Subsequently, she was directed to join along with other two employees as Acting C.D.P.O. on transferred basis from Hura, I.C.D.S. Project to Kashipur, I.C.D.S. Project vide Memo dated 10.12.2010. Since then she was working as Acting C.D.P.O. along with others and ultimately retired in the year 2018. In the meantime, some similarly circumstanced employees had approached this Tribunal in OA -536 of 2015, wherein this Hon'ble Tribunal vide order dated 30.06.2015 had directed the Secretary, Women and Child Development and Social Welfare Department to pay salary and allowances to the petitioners in the pay scale of C.D.P.O. with effect from the date they took charge of the said post following the Hon'ble Apex Court Judgement reported in (2013) 4 SCC 152 in the case of Arindam Chattopadhyay & Ors. Vs.- State of W.B. & Ors.

During the course of hearing, the counsel for the applicant has also drawn our attention to the Memo dated 21.06.2016 (Annexure-A/2) whereby the Joint Secretary had requested the Director of I.C.D.S. to make payment of salary and allowances in compliance to Hon'ble W.B.A.T's order dated 30.06.2015 passed in OA-536 of 2015.

As per the applicant, she is the similarly circumstanced employees with the above mentioned petitioners, therefore, the applicant has prayed for

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extension of benefit of the said judgement.

None for the respondent. In the earlier occasions also none appeared for the respondent even no reply has been filed though the case is of 2017.

We have heard the counsel for the applicant and perused the records.

In view of the above, we remand back the matter to the Secretary, Women & Child Development and Social Welfare to consider the case of the applicant in the light of the Hon'ble Apex Court's judgement reported in (2013) 4 SCC 152, in the case of Arindam Chattopadhyay & Ors. Vs. State of West Bengal & Ors. as well as the case of Malabika Majumder & Ors passed in OA-536 of 2015 dated 30.06.2015 and the Finance Department approval dated 11.06.2016 as recorded in order dated 21.06.2016 issued by the Joint Secretary, Department of Women & Child Development and Social Welfare and to verify the case of the applicant and if the applicant would be found similarly circumstanced with the applicants of the aforesaid judgement, she should be paid the pay scale to the post of C.D.P.O. from the date she took charge of the said post as C.D.P.O. and other admissible arrears and the said decision should be communicated to the applicant with follow up action within a period of eight weeks from the date of receipt of the order. Accordingly, OA is disposed of with no order as to costs.

Since the circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

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SAYEED AHMED BABA  
MEMBER (A)

URMITA DATTA (SEN)  
MEMBER (J)

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