

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman**

**Case No. –OA 97 OF 2022**

**ALIUL ISLAM - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. Swapan Kumar Nandi, Mr. Debjyoti Ghosh, Advocates
<u>3</u> 11.05.2022	For the Respondent	: Mr. Soumendra Narayan Ray, Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.118-WBAT/1E-08/2003 (Pt.-II) dated 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

In this application, Aliul Islam, the applicant, has prayed for several reliefs, the relevant portion of which is as under:

*“(a) Order / orders be passed directing the concerned authority to release to applicant from the deputation duty of Assistant Sub- Inspector of Police at West Bengal Police Directorate, so that the applicant can join at Kolkata Police.*

*(b) Order / orders be passed directing the concerned respondents authority to release the applicant from West Bengal Police Directorate to join at Kolkata Police on repatriation from West Bengal Police Directorate to join Kolkata Police Directorate by the authority concerned as similarly situated person in terms of the judgement and order of the Hon'ble State Administrative, Tribunal dated 10.01.2019 and 11.12.2019 in O.A. 1055 of 2016, CCP No. 73 / 2019 and O.A. No. 369 of 2020 dated 14.12.2020.”*

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**ALIUL ISLAM**

**Vs.**

**THE STATE OF WEST BENGAL & ORS.**

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It is submitted by Mr. Swapan Kumar Nandi, learned advocate appearing on behalf of the applicant that though representations were filed, amongst others on 7<sup>th</sup> March, 2019 before the Home Secretary, Government of West Bengal, now redesignated as Additional Chief Secretary, Home and Hill Affairs Department, Government of West Bengal, the respondent no.1 and the Commissioner of Police, Kolkata Police, the respondent no.3, to release him from deputational duty performed in the West Bengal Police so that he can join Kolkata Police and thereafter a letter dated 16<sup>th</sup> October, 2020, demanding justice, being Annexure 'I' was addressed to the said respondent no.1, however, no action has been taken. Aggrieved, this application has been filed.

SCN. Mr. Soumendra Narayan Ray, learned advocate appearing on behalf of the State respondents submits that under law the applicant is not entitled to the order as prayed for. However, if directed, the respondents will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation ventilating his grievances before the Additional Chief Secretary, Home and Hill Affairs Department, Government of West Bengal, Howrah, the respondent no.1, within six weeks along with a copy of this order downloaded from the website of the Tribunal. If representation is filed within the time as stipulated, the respondent no.1 shall dispose of the same by passing a reasoned order to be communicated to the parties within eight weeks after giving an opportunity of hearing and after verifying the records.

(SOUMITRA PAL)  
CHAIRMAN