

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-459 Of 2019.

Snigdha Ghosh and Others. - VERSUS – The State of West Bengal and Others.

Serial No. and Date of order	For the Applicants	: Mr. S. Bhattacharya, Advocate.
<u>10</u> 20.09.2021.	For all the State Respondents	: Mr. S. N. Ray, Advocate.
	For the Principal Accountant General(A & E), West Bengal.	: None.

In this application, the applicants, have prayed for several reliefs, the relevant portion of which is as under :-

“a)..... An order be passed directing the respondents to forthwith provide the applicants being the retired Supervisors to grant CAS benefits for 10 years of service in the Scale No. 10;

(b) An order be passed directing the respondents to refix the pay scale of the applicants after granting 10 years scale benefit under the Career Advancement Scheme and release all arrears salary forthwith;

(c) An order be directing the respondents to refix the retirement benefit of the applicants after new fixation upon awarding Scale No. 11 from the date of completion of 10 years service and also to release all arrears due to refixation of retiral benefit including the monthly pension forthwith;”.

It is submitted by Mr. S. Bhattacharya, learned advocate for the applicants that though directions were issued upon the respondents to file reply, no reply has been filed and therefore, the statements made in the application are deemed to be correct. Moreover, the issues are covered by the judgment passed on 20th September, 2007 in O.A.-1646

of 1998, judgement dated 11th August, 2016 passed in W.P.S.T. No. 147 of 2009 and the order dated 5th February, 2018 passed by the Supreme Court wherein similarly circumstanced employees have been given CAS benefit as per the Government Order issued.

Snigdha Ghosh, Mita Talapatra and Sujata Dutta, the applicants, who had superannuated, have prayed for grant of CAS benefits for 10 years service in the Scale No. 10. It is submitted by Mr. Bhattacharya since the applications are entitled to the benefits and a letter demanding justice dated 10th June, 2018 appearing at pages-54A to 57 of the application was sent to the Director of I.C.D.S. Scheme, West Bengal, Directorate of I.C.D.S, - the respondent no. 2(iv), appropriate order may be passed directing the respondents to consider the same.

Mr. S. N. Ray, learned advocate for the State respondents submits that the applicants are fence sitters and no order may be passed. However, if directed the respondent authorities will consider the same in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case and as prayed for by Mr. Bhattacharya, the application is disposed of by granting liberty to each of the applicants to file representations separately ventilating their grievances before the said respondent no. 2(iv) within four weeks from the date of obtaining a copy of this order downloaded from the website of the Tribunal. If representations are filed separately within the time as stipulated, the Director, ICDS Scheme, Government of West Bengal, - the respondent no. 2(iv), shall dispose of the same by passing reasoned orders in each of the matters to be communicated to the parties within 15

ORDER SHEET

Form No.

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weeks after giving opportunity for hearing to each of them, after verifying the records and after considering the judgement dated 20th September, 2007 passed in O.A. No.-1646 of 1998, judgement dated 11th August, 2016 passed in W.P.S.T. No. -147 of 2009 and the order dated 5th February, 2018 passed by the Supreme Court.

It is, however, made clear that we have not gone into the merits of the matter and all points are kept open to be dealt with by the respondent no. 2(iv).

Since for 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.

(SAYEED AHMED BABA)
MEMBER (A)

(SOUMITRA PAL)
CHAIRMAN

S.M.