

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

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

**Present-**

**The Hon'ble SAYEED AHMED BABA, Member (A)**

	<b>Case No. – <u>OA-809 of 2021</u></b>
Serial No. and Date of order	Samir Kumar Malik For the Applicant : Mrs. S. Mitra, Learned Advocate.
<u>04</u> 20.09.2022	For the State Respondents : Mr. D. Kole, Learned Advocate

In this application the prayer is for a direction upon the respondent to re-fix his appointment date from 20.12.2017 to April, 2010 which is about seven years before his appointment letter was issued. The contention of the applicant is that although he became aware that his appointment letter was approved by the appropriate authority in April, 2010, but the actual appointment letter was issued on 20.12.2017. Mrs. Mitra submits that since the appointment was considered and approved in the year 2010, his appointment be fixed from April, 2010 and his salaries be paid since then.

Mr. Kole submits that the validity of the appointment letter starts from the date when the appointment letter was issued his service life starts from the day he joins. Mr. Kole further submits that in issuing him a revised appointment letter since April, 2010 is not only maintainable but is clearly not admissible. Therefore, the case is not maintainable and be dismissed.

After hearing both the learned advocates, the finding of this Court is that the applicant was appointed in the post of Regular Peon (Group-D) on 20.12.2017 by the Deptt. and serving since then. It would be illegal to give any direction to the

respondent to issue a revised appointment letter from 2010, seven years prior to his appointment and joining. It will be not only a bad precedence but completely illegal and inadmissible.

The case is disposed of.

SAYEED AHMED BABA  
MEMBER (A)

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