

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Mrs. Urmita Datta (Sen)
&
The Hon'ble Dr. A. K. Chanda

Case No. OA – 1059 of 2016

Prakash Chandra Kundu

Versus

The State of West Bengal & Others.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

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06
15/03/2018

For the Applicant : *Mr. Debkishore Bhaduri,*
Advocate.

For the State Respondents : *Mrs. Sunita Agarwal,*
Advocate.

The instant application has been filed mainly challenging the non action of the application dated 20.04.2015 filed by the applicant as per observation/order of this Tribunal passed on 24.02.2015 in CCP 114 of 2014 (Prakash Chandra Kundu Vs. Kalipada Das).

As per the applicant, he had come earlier in OA 1445 of 2011, which was disposed of vide order dated 18.09.2013 with the following direction :

“Under the circumstances, we have perused the application with connected documents and having heard Ld. Lawyers for both parties present we dispose of this application directing the respondent No.1 to issue order upon the D.D.O of D.C.D.R., 24 Parganas (S) to draw the arrear pay and allowances to the applicant on the basis of his last pay

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Form No.

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	<p><i>and allowances as admissible following refixation of his pay in terms of the revised pay slip dated 09.7.2007, concurrence of the Finance Department contained in their U.O No.1553 dated 21.10.2010 and the revised statement of due and drawn amount showing arrear dues as furnished by the petitioner before us for the period from 15.5.2002 to 30.9.2004 subject to verification.</i></p> <p><i>Respondent No. 1 is further directed to exercise his office for due compliance of this order within a period of three months from the date of communication of this order under intimation to the petitioner.”</i></p> <p><i>And, subsequently, as per the observation / direction of this Tribunal, he has filed representation in the year 2015, but, till date, neither his representation has been disposed of nor any payment has been made in this regard.</i></p>	

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	<p><i>Being aggrieved, he has filed the instant application.</i></p> <p><i>However, on verbal instruction, the Counsel of the respondents has submitted that as a similar case being WPST No. 62 of 2016, is pending before the Hon'ble High Court, they could not dispose of the representation.</i></p> <p><i>However, it is noted that the applicant filed his representation before the authority on 20.04.2015 and writ petition was filed in the year 2016, therefore, we fail to understand why the respondents have not disposed of the representation dated 20.04.2015 of the applicant till date.</i></p> <p><i>The application is admitted for hearing.</i></p> <p><i>However, we grant two weeks time to the respondents to file reply. Rejoinder, if any, by one week thereafter.</i></p> <p><i>Let the matter be listed for final hearing on 19.04.2016.</i></p> <p>Dr. A. K. CHANDA MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

Rajat

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