

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble Justice Soumitra Pal  
& The Hon'ble Subesh Kumar Das**

Case No – **OA 1098 OF 2017**

*Tapan Jyoti Ghosh* vs **The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">07</p> <hr/> <p>01.02.2019</p>	<p><i>For the Applicant</i> : Mr. G. P. Banerjee, Mr. B.P. Roy, Mr. S. Roy Chowdhury, Learned Advocates.</p> <p><i>For the Respondents</i> : Mr. R.A. Chowdhury, Learned Advocate.</p> <p style="text-align: center;"><i>Though the matter is appearing under the heading 'To be Mentioned' since it is submitted by Mr. G.P. Banerjee, learned advocate for the applicant that the matter may be taken up for hearing which is not opposed by Mr. R.A. Chowdhury, Learned Advocate appearing for the respondents, the matter is taken up for hearing.</i></p> <p style="text-align: center;"><i>In this application the applicant has prayed for a direction upon the Director of Agriculture, Government of West Bengal, Howrah the respondent no. 2 to implement the order dated August 10, 2015 passed by the Tribunal in OA 1159 of 2014 filed by the applicant.</i></p> <p style="text-align: center;"><i>It appears that the applicant who had initially joined in the post of Krishi Prayukti Sahayak under the Department of Agriculture, Government of West Bengal and was subsequently promoted to the post of Assistant Agricultural Extension Officer (I), had retired on 30<sup>th</sup> November, 2007.</i></p> <p style="text-align: center;"><i>It is submitted by Mr. G.P. Banerjee, learned</i></p>	

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*advocate appearing on behalf of the applicant that though all retirement benefits have been disbursed however till date the directions contend in the order dated 10.08.2015 passed in OA 1159 of 2014 have not been complied with and order may be passed directing implementation of the said order. In this regard our attention has been drawn to the representation dated 20<sup>th</sup> January, 2012, being annexure 'E' to the application, which was directed to be considered by the Tribunal by its earlier order. Relying on the judgment of the Hon'ble High Court passed in Vivekananda Mondal Vs. State of West Bengal (2003) CHN 154 and in Indropuri Studio Vs. State of West Bengal (2003) (4) CHN 148, it is submitted that the second application is maintainable for implementing the earlier order passed by the Tribunal.*

*Having heard Mr. Banerjee and also Mr. Chowdhury, and considering the facts and and circumstances of the case and in view of the law laid down in the judgments passed in Vivekananda Mondal (Supra) and in Indropuri Studio (Supra), this application is disposed of by directing the Director of Agriculture, Government of West Bengal, Howrah the respondent no. 2 to dispose of the representation filed before him on 20<sup>th</sup> January, 2012 by passing a reasoned order to be communicated to the parties within a period of ten weeks*

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*from the date of presentation of a copy of this order after giving an opportunity of hearing to the applicant and after verifying the records. At the time of hearing the applicant is at liberty to produce documents in support of his claim and the respondent no. 2 in his reasoned order shall deal with the same.*

( S.K.DAS)  
Member ( A)

( SOUMITRA PAL)  
Chairman

*H.S/CSM*