## ORDER SHEET WEST BENGAL ADMINISTRATIVE TRIBUNAL

## Present-

The Hon'ble Urmita Datta (Sen)

Case No - OA-122 of 2018

Shankar Halder & Others.  $\underline{Vs}$  The State of West Bengal & Others.

Serial No. and	Order of the Tribunal with signature	Office action with date
Date of order.	2	and dated signature of parties when necessary
1		3
<u>02</u> 25.04.2018	For the applicant : Mr. Samarandra Nath Biswas, Learned Advocate.	
25.04.2016	Learneu Advocate.	
	For the respondent : Mr. Shiladitya Bhattacharya,	
	Ms. Ruma Sarkar,	
	Mr. Aniruddha Dey, Departmental Representatives.	
	Departmental Representatives.	
	Affidavit of service is filed. Let it be kept with	
	· ·	
	the record.	
	The instant application has been filed praying	
	for a direction upon the Respondents particularly	
	Respondent No. 2 to release the arrear remuneration of	
	the applicant in terms of the order dated 16.02.2017	
	passed by this Tribunal in OA -1048 of 2016. As per the	
	applicants they were engaged as Sweeper-cum-Water	
	Career from different areas of South 24 Parganas district	
	since 1999 onwards and still working in the Deptt.	
	According counsel for the applicant, the applicants are	
	entitled to get the benefit of Finance Department's	
	Memo dated 07.09.2009 read with judgement dated	
	16.02.2017 in OA-1048 of 2016. The applicants have also	
	made representations before the authority but without	
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Case No. OA-122 of 2018

Vs.
The State of West Bengal & Others

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessar
	any benefit. Being aggrieved they have filed this instant	
02	application.	
25.04.2018		
	The departmental representatives of the Land	
	& Land Reforms Deptt. have submitted that though the	
	issue is settled, however, before considering the claim of	
	the applicants, they have to verify their entitlement as	
	per the circular as well as the judgement.	
	During the course of hearing, the counsel for	
	the applicant has submitted that it would suffice his	
	purpose if their applications will be disposed of by the	
	Respondent No. 2 treating the OA as a part of it and to	
	extend the benefit as claimed by them within a stipulated	
	period of time. The respondents have no objection to the	
	proposal but subject to verification of their entitlement.	
	In view of the above, the Respondent No. 2 is	
	directed to consider the representations of the applicants	
	treating the OA as a part of it and pass a speaking and	
	reasoned order in the light of the circular of the Finance	
Page /2	Deptt. and the judgement passed in OA-1048 of 2016	

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Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessar 3
02	after verifying the entitlement of the applicants and if the	
25.04.2018	applicants would be found eligible for extension of the	
	benefit, the said benefit should be extended to them	
	within a period of four months from the date of receipt of	
	the order. However, if they would not have been found	
	eligible, in that case also, the respondents have to	
	communicate the reason by passing a speaking and	
	reasoned order to the applicants within a period of four	
	months thereafter. Accordingly, the OA is disposed of	
	with the above direction and observation.	
	DR. A.K. CHANDA URMITA DATTA (SEN) MEMBER (A) MEMBER (J)	
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Vs.		Vs.	
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