

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – OA 1264 OF 2016

Dilip Kumar Sinha 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;">10</p> <hr/> <p>06.02.2019</p>	<p><i>For the Applicant : Mrs. S. Mitra, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. A.L. Basu, Learned Advocate.</i></p> <p style="text-align: center;"><i>The applicant has prayed for direction upon the respondents for granting him New Intermediate Selection Grade scale of pay w.e.f. May 16, 1985 and other ancillary reliefs.</i></p> <p style="text-align: center;"><i>It appears from the materials on record that the applicant joined as Sub-Inspector in the Directorate of Entry Tax, Government of West Bengal on deputation from his parent post in the Collectorate of Nadia in the year 1970. The applicant was ultimately absorbed in the Directorate in the year 1986. He has prayed for granting him New Intermediate Selection Grade w.e.f. the date of his absorption in the Directorate by submitting representation before Director of Entry Tax, Government of West Bengal.</i></p> <p style="text-align: center;"><i>Mrs. S. Mitra, Learned Counsel for the applicant has failed to place on record G.O. or the rules under which the applicant is entitled to get New Intermediate Selection Grade from the date of his absorption in the</i></p>	

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Directorate of Entry Tax. Mr. A.L. Basu, Learned Counsel representing the state respondents submits that the order for granting New Intermediate Selection Grade was abolished w.e.f. July 30, 1981 and as such the question of granting New Intermediate Selection Grade to the applicant does not arose at all.

Having heard Learned Counsel representing both parties and on consideration of the materials on record, we cannot persuade ourselves to grant the applicant benefit of New Intermediate Selection Grade particularly when no G.O. or rules indicating the norms for granting New Intermediate Selection Grade to the Government Employee of Directorate of Entry Tax is placed before us. Moreover, the applicant has claimed benefit of service w.e.f. the year 1986 by filing original application before the Tribunal in the year 2016 i.e. after long lapse of 30 years. In our view the present application is barred under Section 21 of the Administrative Tribunals Act, 1985.

In view of our above observation, the original application is dismissed.

Let a plain copy of the order be supplied to both parties.

H.S

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

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