

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble JUSTICE RANJIT KUMAR BAG

& The Hon'ble DR. SUBESH KUMAR DAS

Case No – OA 157 OF 2014

Dr. Bhisma Dev Sau 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
18 <hr/> 04.10.2018	<p><i>For the Applicant : Mr. A. Hati, Learned Advocate.</i></p> <p><i>For the Respondents : Mr. R.A. Chowdhury, Learned Advocate.</i></p> <p><i>For A.G.(A&E), W.B. : None</i></p> <p style="text-align: center;"><i>The applicant has prayed for direction upon the respondents to grant financial benefits to the applicant during the period from November 30, 1987 to August 10, 1998 due to switching over of the applicant from West Bengal Health Service to West Bengal Public Health-cum-Administrative Service by exercise of option on the basis of notification dated August 20, 2004 issued by the Department of Health and Family Welfare, Government of West Bengal.</i></p> <p style="text-align: center;"><i>The contention of the applicant is that the applicant exercised the option for joining in the cadre of Medical Officers under West Bengal Public Health-cum-Administrative Service and got absorbed in the said service on January 04, 2005. The further contention of the applicant is that the applicant discharged his duty in the administrative post of West Bengal Health Services during the period from November 30, 1987 to August 10, 1998 and as such the applicant is entitled to get financial benefits for discharge of duty during the aforesaid period</i></p>	

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of time. It appears from notification dated August 20, 2004 issued by the Department of Health and Family Welfare, Government of West Bengal that the Medical Officers of West Bengal Health Services who will opt for West Bengal Public Health-cum-Administrative Service by exercise of option will get three additional increments on absorption in the said service in terms of Rule 3 of the West Bengal Public Health-cum-Administrative Service (Pay and Allowances) Rules, 2004. Since, the applicant cannot get the benefits of additional increment in terms of Rule 3 of West Bengal Public Health-cum-Administrative Service (Pay and Allowances) Rules, 2004 before his absorption in West Bengal Health-cum-Administrative Service, we are of the view that the applicant is not entitled to get any financial benefit for discharge of his duty in the Administrative post of West Bengal Health Services during the period from November 30, 1987 to August 10, 1998.

In view of our above findings, we do not find any merit in the present application. As a result, the original application is dismissed.

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

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S

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