

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble JUSTICE RANJIT KUMAR BAG

& The Hon'ble DR. SUBESH KUMAR DAS

Case No – OA 245 OF 2016

Dhirendranath Dangar 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>03.10.2018</p>	<p><i>For the Applicant : Mr. M.N. Roy, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. A.L. Basu, Learned Advocate.</i></p> <p><i>The applicant has prayed for direction upon the respondents to grant promotion of the applicant from the post of Zilladar to the post of Assistant Canal Revenue Officer w.e.f. April 01, 2015.</i></p> <p><i>The contention of the applicant is that the vacancy arose in the cadre of Assistant Canal Revenue Officer on March 31, 2015 and the case of the applicant should have been considered for promotion for filling up the said vacancy of Assistant Canal Revenue Officer. On June 08, 2015 the respondent no. 2 gave the proposal to the respondent no. 3 for consideration of the applicant and four other candidates for the purpose of promotion to Assistant Canal Revenue Officer. On June 22, 2015 the ACR of the applicant was forwarded to the concerned authority along with other candidates. However, on September 22, 2015 this Tribunal directed the state respondents not to fill up the post of Assistant Canal Revenue Officer by way of promotion till modification of</i></p>	

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the Recruitment Rules, as the same are found to discriminatory by order dated September 22, 2015 in OA 648 of 2014 (Anandashankar Bandyopadhyay vs. The State of West Bengal). It is the contention of the state respondents that the process initiated for consideration of the applicant and other candidates for granting promotion to the post of Assistant Canal Revenue Officer could not be completed due to the direction given by the Tribunal on September 22, 2015 in OA 648 of 2014. He further submits that the Recruitment Rules have not yet been modified.

We find justification in the submission made by Learned Counsel for the state respondents that the state respondents are handicapped in granting promotion to the applicant and other candidates in the post of Assistant Canal Revenue Officer due to prohibitory order passed by the Tribunal in OA 648 of 2014.

In view of our above observation, we are unable to grant any relief to the applicant in the present application. Accordingly, the present application is dismissed.

**(S.K.DAS)
Member (A)**

**(R.K.BAG)
Member (J)**

H.S

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