

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 400 OF 2019

Harendra Prosad Maity 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;">02 <hr/>31.07.2019</p>	<p><i>For the Applicant : Mrs. M. Dhar Chowdhury, Learned Advocate.</i></p> <p><i>For the State Respondents : None</i></p> <p style="text-align: center;"><i>Affidavit of service filed on behalf of the applicant today is kept on record.</i></p> <p style="text-align: center;"><i>The applicant has prayed for direction upon the respondents for grant of higher scale of pay under modified Career Advancement Scheme on consideration of the representation submitted by the applicant.</i></p> <p style="text-align: center;"><i>The contention of the applicant is that he joined as Sub-Assistant Engineer (Civil) at Daspur Section of Ghatal Highway Sub-Division, Midnapore Highway Division No. I, Public Works (Roads) Department on December 26, 1995. The further contention of the applicant is that he was appointed as Assistant Engineer (Civil) under Public Works Department in terms of Notification dated October 19, 2001 issued by the Deputy Secretary to the Government of West Bengal, Public Works Department and joined in the said post on November 09, 2001. It is also contended on behalf of the applicant that he got higher scale of pay as Assistant</i></p>	

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Engineer (Civil) in terms of order conveyed under letter dated October 13, 2008 issued by the Deputy Secretary, Public Works Department, Government of West Bengal. The applicant got promotion to the post of Executive Engineer in terms of Notification dated December 01, 2016 issued by the Joint Secretary (Personnel), Public Works Department, Government of West Bengal. The grievance of the applicant is that he was not given benefit of Career Advancement Scheme for completion of 16 years of satisfactory service.

Learned Counsel for the applicant submits that the applicant joined in the promotional post of Executive Engineer in the same scale of pay which was drawn by him in the feeder post of Assistant Engineer. Learned Counsel further submits that the representation submitted by the applicant is still pending for consideration of the Principal Secretary to the Government of West Bengal, Public Works Department.

None appears on behalf of the state respondents on call, inspite of service of notice as reflected from the affidavit of service filed on behalf of the applicant.

Having heard Learned Counsel for the applicant and on consideration of the materials on record, we are of the view that the respondent no. 1 should take a decision about the entitlement of the applicant to get the benefit of

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Career Advancement Scheme for completion of 16 years of service on verification of record. Accordingly, the respondent no. 1, Principal Secretary to the Government of West Bengal, Public Works Department is directed to take a decision whether the applicant is entitled to get benefit of Career Advancement Scheme for completion of 16 years of service as Assistant Engineer and Executive Engineer after verification of records in accordance with law within a period of 12 weeks from the date of communication of the order and communicate the said decision to the applicant within a period of 8 weeks thereafter.

With the above direction, the original application stands disposed of.

Let a plain copy of the order be supplied to the applicant.

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

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

H.S