

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. OA 561 of 2019

Sri Debasish Dhar

Versus

The State of West Bengal & Ors.

Serial No. and date of order	Order of the Tribunal with signature	Office action with date and dated signature of parties when necessary.
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02 05/09/2019	<p>For the Applicant : Mrs. M. Dhar Chowdhury, Ld. Advocate.</p> <p>For the Respondent : Mr. G.P. Banerjee, Ld. Advocate.</p> <p style="text-align: center;">Affidavit of Service filed on behalf of the applicant today is kept on record.</p> <p style="text-align: center;">The applicant has prayed for direction upon the respondents for granting him benefit of service including benefit of Career Advancement Scheme, promotion and fixation of pay and annual increments from the year 2004 onwards.</p> <p style="text-align: center;">The applicant has been working as Additional District Sub-Registrar in the district of South 24-Parganas. The contention of the applicant is that he was suspended from service w.e.f. April 15, 2003 in terms of the provisions of Rule 7(3) of the West Bengal Services (Classification, Control and Appeal) Rules, 1971 due to his detention in custody in connection with the criminal case. However, on December 09, 2005 the applicant was reinstated in service and posted as Additional District Sub-Registrar, Jangipur in the district of Murshidabad with effect from the date of his resuming duty in the said post. The grievance of the applicant is that he was not given annual increment, house rent allowance and medical allowance and he was not given benefit of</p>	

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	<p>service like promotion and benefit of CAS etc. inspite of his reinstatement in service in the year 2005.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the fact that the criminal case initiated against the applicant is still pending for adjudication before the competent court of law, we would like to hold that the benefit of service to which the applicant is entitled in terms of the provisions of the Rules by which he is governed, should be given to the applicant. Admittedly, the applicant submitted one representation before the Inspector General of the Registration and Commissioner of Stamp Revenue, West Bengal on May 27, 2019, but the said representation has not yet been considered.</p> <p>Accordingly, we direct the respondent no. 3, Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal to consider the representation of the applicant dated May 27, 2019 (page 30 to page 35 of the original application) in accordance with the provisions of the Rules by which the applicant is governed by passing a reasoned order within a period of 12 (twelve) weeks from the date of communication of the order and take necessary follow up action, if any, within a period of 08 (eight) weeks thereafter.</p>	

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Csm	<p>With the above direction, the original application is disposed of.</p> <p>Let a Plain Copy of the order be supplied to both parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	