

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble P. Ramesh Kumar (Administrative Member)

Case No. OA - 67 OF 2019

PRADIP KUMAR MONDAL & ANR. 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;"><u>03</u> 28.02.19</p>	<p>For the Applicants : Mr.K.Bhattacharjee Mrs.S.Agarwal Advocates</p> <p>For the Respondents : Mr.S.Ghosh Advocate</p> <p>For the Private Respondents No.4 : Mr.G.P.Banerjee Advocate</p> <p>In this application, P.K.Mondal and G.K.Bhowmik, the applicant nos. 1 and 2 respectively have prayed for the certain reliefs, the relevant portion of which is as under:-</p> <p style="text-align: center;"><i>“a) Leave be granted to the applicants to file this application jointly by applicants who have common interest in the application and relief prayed is common to them.</i></p> <p style="text-align: center;"><i>b) Direction be passed on the respondent No.1 and 2 to forthwith give posting to the applicants on transfer as per proposal and recommendation made by the Director of Agriculture & Ex-Officio Secretary, WB vide U.O. No. 667/PSJ dated 24.09.2018 and U.O. No. 08/PSJ dated 03.01.2019.</i></p>	

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	<p><i>c) Declare that the post mentioned in West Bengal Agricultural Services (Administrative) is to be filled only by transfer from one post to the other within the same cadre and the applicants are to be given posting on transfer to the post as per proposal sent by the Director of Agriculture & Ex-Officio Secretary, WB to the respondent No. 1 and 2."</i></p> <p>The matter came up for hearing on 31st January, 2019 when certain directions were issued. Thereafter the matter came up on 14th February, 2019 when it was submitted on behalf of the applicant that as the administration by order dated 31st January, 2019 had given appropriate reliefs to P.K.Mondal, the applicant no.1 was not pressing his case. A copy of the notification dated 31st January, 2019 containing the order issued in favour of the applicant No.1 filed was kept on record. On that date prayer was made to grant similar relief to the applicant no. 2 who has been recommended by the Joint Director of Agriculture (Extension) West Bengal, as evident from page 31 of the application. According to the directions, the matter has appeared today under the heading "Admission Hearing".</p>	

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	<p>Mr.K.Bhattacharjee, learned advocate appearing on behalf of the applicant no. 2 submits that as the case of G.K.Bhowmik, the applicant no.2 has been recommended by the Joint Director of Agriculture (Extension) West Bengal on 24th September, 2018 as evident from Page 31 of the application, appropriate order may be passed for posting him as Joint Director of Agriculture (Farms), West Bengal as proposed.</p> <p>Mr.S.Ghosh, learned advocate appearing on behalf of the State respondents submits on instruction that the matter regarding the applicant no. 2 has already been placed before the Additional Chief Secretary, Government of West Bengal, Department of Agriculture, the respondent no. 2, for consideration.</p> <p>In reply, it is submitted by Mr.K.Bhattacharjee that since the case of the applicant no.2 was recommended on 24th September, 2018, appropriate direction may be given for taking a decision regarding posting at the earliest.</p> <p>Mr.G.P.Banerjee, learned advocate appearing on behalf of the State Agricultural Technologists' Service Association, the respondent no.4 submits that</p>	

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BLR	<p>since the matter is pending before the Additional Chief Secretary, he is not making any submission.</p> <p>Having heard Mr.Bhattacharjee, Mr.Ghosh and Mr.Banerjee, learned advocates for the parties and considering the facts and circumstances of this case since the matter relating to posting of the applicant no.2 at the proposed place of posting, as evident from the page 31 of the application, is pending before the Additional Chief Secretary, Government of West Bengal, Department of Agriculture, the respondent no.2, considering such fact the application is disposed of by directing the said respondent no. 2 to take a decision by passing an order to be communicated to the applicant no.2 within 6 weeks from the date of presentation of a copy of this order.</p> <p>(P. RAMESH KUMAR) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	