

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 832 OF 2014**

*Sasanka Sekhar Mondal* 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;">17 <hr/>29.07.2019</p>	<p><i>For the Applicant : Mrs. S. Mitra, Learned Advocate.</i></p> <p><i>For the State Respondents : Mrs. S. Agarwal, Learned Advocate.</i></p> <p><i>The applicant has prayed for direction upon the respondents for granting benefit of promotion to the post of Grade II as Scheduled Caste candidate w.e.f July 01, 2008 and other ancillary reliefs.</i></p> <p><i>The applicant joined in the post of GDA in Mental Hospital, Berhampore in the District of Murshidabad on November 13, 1979. He retired from service for completion of 60 years of age on November 30, 2013. The contention of the applicant is that he was not granted promotion to Grade II post, though many of his colleagues who were working in Group D post, were granted promotion by order dated December 21, 2011 issued by the Chief Medical Officer of Health, Murshidabad. The grievance of the applicant is that he was not granted any promotion during his entire service carrier.</i></p> <p><i>Mrs. Mitra, Learned Counsel for the applicant submits that the name of the applicant is appearing at serial no. 933 of the gradation list of Group D employees</i></p>	

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*published by Chief Medical of Health, Murshidabad on January 24, 2011. She has fairly submitted that no one junior to the applicant in the gradation list got promotion till the date of retirement of the applicant from service. Mrs. Agarwal, Learned Counsel representing the state respondents submits that the applicant got benefit of Carrier Advancement Scheme and modified Carrier Advancement Scheme for completion of 10 years, 20 years and 25 years of service, though he did not get any promotion during his entire service carrier.*

*Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that when promotion was given to Group D employees by order of CMOH, Murshidabad on December 21, 2011, the last Group D employees belonging to the category of Scheduled Caste who got promotion from Group D post, is Arun Kumar Das whose name appears at serial no. 697 of the gradation list of Group D employees. The name of the present applicant appears at serial no. 933 in the gradation list of Group D employees. Naturally, there was no scope for consideration of the name of the applicant for grant of promotion from Group D post. The last candidate who got promotion in the category of Scheduled Caste was much senior to the present applicant as reflected from the*

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*gradation list of Group D employee published on January 24, 2011. Since no junior to the applicant got promotion from Group D post, the applicant was never superseded by any of his juniors while he was in service. Moreover, the applicant got benefit of CAS and MCAS for completion of 10 years, 20 years and 25 years of service as he did not get promotion during his entire service career. So the question for consideration of the applicant for grant of promotion to Grade II post does not arise at all.*

*In view of our above findings, 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*