

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

The Hon'ble Urmita Datta (Sen) Member (J) &  
Hon'ble P. Ramesh Kumar, Member (A)

OA-888 of 2016

**Mahadev Chakraborty.**

**Vs**

**The State of West Bengal & Ors.**

| Serial No. and Date of order.<br>1 | Order of the Tribunal with signature<br>2  | Office action with date and dated signature of parties when necessary<br>3 |
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| <p><u>09</u><br/>11.10.2018</p>    | <p>For the applicant : None.</p> <p>For the respondent : Mr. G.P. Banerjee,<br/>Learned Advocate.</p> <p>For the Respondent No. 2 : Mr. A.L. Basu,<br/>(C.E.O., W.B.) Learned Advocate.</p> <p>None for the applicant. It is noted that the counsel for the applicant was absent on 21.03.2018, 13.06.2018, 04.09.2018 even today nobody is appearing for the applicant. However, counsel for the respondent have submitted that the applicant had worked for some days in the year 1984 and 1990 for the purpose of election work (State General Election &amp; Parliamentary Election). However, they have prayed for absorption in Group –D post. In earlier occasions also, the applicant moved before this Tribunal in OA-1234 of 2015 which was disposed of on 04.05.2016 with a direction to the District Magistrate &amp; Collector, Howrah to consider the representation of the applicant after giving an opportunity to the applicant and pass a speaking and reasoned order. In turn, the A.D.M. vide his order dated 22.06.2016 considered the case of the applicant after granting him personal hearing and is of the opinion that</p> |  |

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| <p style="text-align: center;">09<br/>11.10.2018</p> <p style="text-align: center;">SC</p> | <p>the applicant had failed to establish that he had worked on regular basis but worked as and when required for the purpose of State General Election and Parliamentary Election. Therefore, he is not entitled to be absorbed in any Group-D post as per Govt. rules and is not covered by any circular of the Govt. Therefore, he has prayed for dismissal of the OA.</p> <p style="text-align: center;">Heard the respondents and perused the record. It is noted that the applicant had worked for some days in 1984 and 1990 but no such document for such claim has been enclosed which he can prove his claim for absorption. Therefore, we do not find any reason to interfere with the decision of the District Magistrate &amp; Collector, Howrah. Accordingly, OA is dismissed being devoid of merit.</p> <p style="text-align: center;"> <b>P. RAMESH KUMAR</b><br/> <b>MEMBER(A)</b> </p> <p style="text-align: center;"> <b>URMITA DATTA (SEN)</b><br/> <b>MEMBER (J)</b> </p> |  |

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