

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 958 OF 2017

Arun Kumar Pal 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;">05</p> <hr/> <p>26.07.2018</p>	<p><i>For the Applicant : Mr. Victor Chatterjee, Learned Advocate.</i></p> <p><i>For the Respondents : Mr. G.P. Banerjee, Learned Advocate.</i></p> <p style="text-align: center;"><i>The applicant has been working in the post of Assistant Professor of Drabya Vijnan etc. and visiting Physician at Viswanath Ayurved Mahavidyalaya & Hospital in the West Bengal Ayurvedic Education Service under Department of Health & Family Welfare, Government of West Bengal on the basis of notification dated October 17, 2006 issued by the Joint Secretary to the Government of West Bengal, Department of Health & Family Welfare.</i></p> <p style="text-align: center;"><i>The contention of the applicant is that the post of Professor has been created in Viswanath Ayurved Mahavidyalaya & Hospital by notification dated June 22, 2015 issued by the Joint Secretary to the Government of West Bengal, Department of Health & Family Welfare, but the applicant has not yet been considered for promotion to the post of Professor inspite of the fact that the post is lying vacant.</i></p>	

ORDER SHEET

Arun Kumar Pal

Form No.

.....

Vs.

The State of West Bengal & Ors.

Case No. OA 958 OF 2017

.....

Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that the applicant has previously submitted representation before the Director of Ayurvedic and before the Joint Secretary (Ayush) to the Government of West Bengal, Department of Health & Family Welfare through his Learned Advocate. Since the said representations have not been submitted before the Principal Secretary of the concerned department, the said representation cannot be considered by the Principal Secretary of the concerned department, who is competent to take a decision in this regard.

Under the above circumstances, the applicant is at liberty to submit fresh representation ventilating his grievances before the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Health & Family Welfare within a period of 4 (four) weeks. If such representation is submitted by the applicant within the stipulated period of time, the said respondent no. 1 will consider the said representation in accordance with law and take necessary action within a period of 12 (twelve) weeks from the date of receiving the representation.

The applicant is directed to enclose copy of this order and the copy of the original application with the representation to be submitted before respondent no. 1.

ORDER SHEET

Arun Kumar Pal

Form No.

Vs.

The State of West Bengal & Ors.

Case No. OA 958 OF 2017

With the direction, the original application is disposed of.

Let a plain copy of the order be supplied to both parties.

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S