

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

The Hon'ble Justice Soumitra Pal (Chairman)  
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 1150 OF 2017

**KRIPAN KUMAR MISTRY** 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>5</p> <hr/> <p>04.12.2018</p>	<p>For the Applicant : Mr. M.K. Sanyal Advocate</p> <p>For the Respondents: Mrs. S. Agarwal Advocate</p> <p>In this application, the applicant, a daily rated Chowkidar in the office of Domkal Employment Exchange in the district of Murshidabad, has challenged the order dated 10<sup>th</sup> August, 2017 discontinuing him from performing his duties as casual / daily rated worker. It has been stated that after disengagement even his wages for the month of April, 2017 are yet to be disbursed.</p> <p>Mr. M.K. Sanyal, learned advocate for the applicant submits that appropriate order may be passed for re-engaging him and for payment of the dues of April, 2017.</p> <p>Mrs. S. Agarwal, learned advocate for the respondents submits that the impugned order dated 10<sup>th</sup> August, 2017 disengaging the applicant, a casual / daily rated worker, is just and proper as he has not been able to demonstrate that his engagement was with the approval of the Finance Department / Labour Department,</p>	

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SCN.	<p>Government of West Bengal.</p> <p>In reply it is submitted by Mr. Sanyal that liberty may be granted to the applicant to file a fresh representation ventilating his grievances and if such representation is filed, it may be directed to be considered by the appropriate authority.</p> <p>Having heard Mr. Sanyal and Mrs. Agarwal, learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file a representation ventilating his grievances, annexing copies of relevant documents in support of his contention including the order of engagement, before the Director of Employment, Department of Labour, Government of West Bengal, Calcutta, the respondent no.2 within four weeks along with a copy of the certified copy of this order. If such representation is filed within the stipulated period before the Director of Employment, the respondent no.2, same will be disposed of by the Director by passing a reasoned order to be communicated to the parties within ten weeks after giving an opportunity of hearing and after verifying the records.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	