

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

**The Hon'ble Justice Ranjit Kumar Bag, Member (Judicial)**  
**& The Hon'ble Dr. Subesh Kumar Das, Member (Administrative)**  
**Case No –OA 171 OF 2018**

**Rabindra Nath Biswas 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
<div>4</div> <hr/> 05.02.2020	<p>For the Applicant : Mr. P. Majumder, Learned Advocate.</p> <p>For the Respondents: Mr. G.P. Banerjee, Learned Advocate.</p> <p>Mr. Majumder, Learned Advocate for the applicant has placed on record a copy of Memo bearing No. 1298/3E/SAS-II/24/03 dated 03.12.2019.</p> <p>The applicants has prayed for direction upon the respondents for granting him pay protection at par with the private respondent No. 6, Santosh Kumar Roy, who is junior to the applicant in service.</p> <p>The contention of the applicant is that he joined in the Government service as Krishi Prayukti Sahayak as Scheduled Caste candidate on February 2, 1981. The private respondent No. 6, Santosh Kumar Roy is junior to the applicant in service. The said private respondent No. 6 got promotion to the post of Grade I Krishi Prayukti Sahayak from the feeder post of Krishi Prayukti Sahayak on February 3, 1984 by way of supersession of the applicant due to inadvertence and by mistake. The Additional Director of Agriculture (Admn.) had written one letter addressed to the Assistant Secretary to the Government of West Bengal, Department of Agriculture, Establishment, Directorate Branch on December 3, 2019, whereby the Director has recommended for grant of pay protection in favour of the applicant at par with the</p>	

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Rajib	<p>private respondent No. 6, but no response has yet been received from the Department of Agriculture, Government of West Bengal.</p> <p>Having heard Learned Counsel representing both the parties and on consideration of the materials on record, we are of the view that the respondent No. 1 should consider the case of the applicant as forwarded by the Additional Director of Agriculture (Admn.) to the Department on December 3, 2019. Accordingly, we direct the respondent No. 1, Principal Secretary to the Government of West Bengal, Department of Agriculture to take a decision by passing a reasoned order on the basis of recommendation made by the respondent No. 4, Additional Director of Agriculture (Admn.) vide a Memo No. 1298/3E/SAS-II/24/03 dated 03.12.2019 within a period of twelve weeks from the date of communication of the order and take necessary follow-up action within eight weeks thereafter.</p> <p>With the above direction, the original application stands disposed of.</p> <p>Let a plain copy of the order be supplied to both the parties.</p> <p><b>S.K. Das</b> <b>Member (A)</b></p> <p><b>R.K. Bag</b> <b>Member (J)</b></p>	

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