

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

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das**

Case No –OA 262 OF 2014

Antony D Rozario 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>16 19.09.2018</p>	<p>For the Applicant : Mrs. S.Agarwal Learned Advocate.</p> <p>For the State Respondents : Mr. R.A. Chowdhury Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to grant promotion to Group C post and other consequential benefits.</p> <p>It appears from the materials on record that the applicant was appointed temporarily as GDA in the cadre of Group D post at North Bengal Medical College and Hospital by order dated May 20, 2000 issued by the Respondent No. 3. The contention of the applicant is that he has acquired seniority and qualification for being considered for promotion to Group C post in the establishment in which the applicant is working. The grievance of the applicant is that he has not been considered for promotion to Group C post.</p> <p>There is nothing on record to indicate that the applicant has been superseded by his immediate junior by granting promotion to Group C post. The reply submitted on behalf of the State respondents clearly indicates that promotion of the applicant from Group D post to Group C post is not a matter of right. Since it is well-settled that promotion is not a matter of right, but consideration for promotion is a matter of right, the applicant must</p>	

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Rajib	<p>be considered for promotion to Group C post when his immediate junior in the cadre of Group D will be considered for promotion to Group C post. Accordingly, we direct the Respondent No. 3, Superintendent, North Bengal Medical College and Hospital to consider the applicant for promotion to Group C post along with his immediate junior in the cadre of Group D post when vacancies in Group C post in the establishment will be filled up by way of promotion from Group D post.</p> <p>With the above direction, the original application stands disposed of.</p> <p style="text-align: center;">S. K. DAS MEMBER(A)</p> <p style="text-align: center;">R. K. BAG MEMBER(J)</p>	

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