

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 544 OF 2018

SANKAR SARKAR 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>1</p> <hr/> <p>28.08.2018</p>	<p>For the Applicant : Mrs. Sunita Agarwal Advocate</p> <p>For the State Respondent: Mr. A.K. Das Sinha Advocate</p> <p>By consent of the parties, the original application is taken up for hearing.</p> <p>In this application, the applicant stated to have been engaged on 27th February 2006 in the office of the Employment Officer-in-Charge, District Employment Exchange, East Calcutta for guarding the office premises after office hours and to sweep the office floors and claiming to have worked continuously till the intimation dated 6th February, 2017 regarding disengagement, has challenged the said disengagement as according to him it is in violation of the memorandum dated 23rd April, 2010. Submission is that though a representation dated 19th February 2018 was furnished before the Director, Directorate of Employment, West Bengal, the respondent No. 2, it has not been considered. Aggrieved this original application has been filed. Mrs. Sunita Agarwal, learned advocate appearing on behalf of the applicant submits that</p>	

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SCN.	<p>since the impugned notice of disengagement is without reasons, it may be set aside and direction may be issued upon the respondents to consider the representation filed.</p> <p>Mr. A.K. Das Sinha, learned advocate appearing on behalf of the State relying on a status report submits that as the applicant did not work for ten years such disengagement is in accordance with law.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, this application is disposed of by directing the Principal Secretary, Department of Labour, Government of West Bengal, Kolkata, the respondent No. 1 to dispose of the representation dated 19th February, 2018, filed before the Director, being annexure “K” to this application, by passing a reasoned order to be communicated to the parties within ten weeks from the date of presentation of a copy of this order after giving an opportunity of hearing and after verifying the records.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	