

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

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

Case No –OA 614 OF 2016

Manabendra Chatterjee & Others 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</p> <hr/> <p>24.06.2019</p>	<p>For the Applicants : Mr. G. Halder, Learned Advocate.</p> <p>For the Respondents : Mr. S. Ghosh, Learned Advocate.</p> <p>For A.G. (A & E), W.B. : Mr. B. Mitra, Departmental Representative.</p> <p>The applicants have prayed for direction upon the respondents for refixation of their pay and allowances in terms of judgment and order passed by this Tribunal on March 20, 2014 in OA 418 of 2011.</p> <p>The applicants joined in the service as Computer in different places of West Bengal under the Directorate of Health Services, Government of West Bengal. They retired from service during the period from 2001 to 2007. It is contended on behalf of the applicants that they got notional fixation of their pay in terms of the order dated March 27, 2009 issued by the Director of Health Services, West Bengal and actual financial benefit by way of pension and other retirement benefits. The further contention of the applicants is that a section of employees working as Computers in different places of West Bengal under Directorate of Health Services approached this Tribunal by filing OA 418 of 2011 praying</p>	

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	<p>for actual financial benefits instead of notional benefits by way of fixation of pay in terms of the order dated March 27, 2009 issued by the Department of Health and Family Welfare, Government of West Bengal. By placing a copy of the judgment passed in OA 418 of 2011, Learned Counsel for the applicants contends that the present applicants are similarly circumstanced with the applicants of OA 418 of 2011 and as such they are entitled to get actual financial benefit as obtained by the applicants of OA 418 of 2011 in terms of the judgment passed by the Tribunal in OA 418 of 2011.</p> <p>Learned Counsel representing the State respondents contends that the issue of re-fixation of pay and allowances and payment of actual financial benefits to the persons working as Computers in different places of West Bengal under the Department of Health and Family Welfare, Government of West Bengal has already been decided by this Tribunal in OA 418 of 2011 and the applicants will be governed in terms of the said judgment.</p> <p>Having heard the Learned Counsel representing both the parties and on consideration of the materials on record, we are of the view that the applicants should be treated at par with the applicants of OA 418 of 2011 for the purpose of granting actual financial benefits for working as Computer in different places of West Bengal under Department of Health and Family Welfare. Accordingly, we direct the respondent No. 2, Director of Health Services, Government of West Bengal to consider the entitlement of the applicants to get actual financial benefits in terms of the judgment passed by this Tribunal on March 20, 2014 in OA 418 of 2011 (Raghunath Saha</p>	

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