

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

The Hon'ble Justice Soumitra Pal, Chairman

& The Hon'ble P. Ramesh Kumar, Member (A)

Case No OA - 664 of 2018**Durga Charan Mahato –Vs- The State of West Bengal & Others.**

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 style="text-align: center;"><u>3</u> 28.03.2019</p>	<p><i>For the Applicant: Mr. S .Majumder, Advocate.</i></p> <p><i>For the Respondents: None.</i></p> <p><i>Though the matter has appeared under the heading 'Reply, Rejoinder and Objection', on the prayer of the learned advocate for the applicant, the matter is disposed of by passing the following order.</i></p> <p><i>In this application, the applicant who joined as Field Workers purely on temporary basis (Spray Workers) in the Department of Health and Family Welfare, Government of West Bengal, on 27th July, 1987 in the district of Purulia and who was subsequently absorbed and appointed as a permanent employee on 18th May, 2011 and had superannuated on 31st July, 2015 has prayed for a direction upon the respondent to release pension and pensionary benefits in his favour.</i></p> <p><i>It is submitted by Mr. S. Majumder, learned advocate for the applicant that as the applicant had worked continuously without any break till his recruitment in service permanently, appropriate order may be passed. Though a representation dated 4th May, 2016, being annexure 'F' to the application, along with other similarly situated persons was furnished before the authority, however</i></p>	

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A.K.P.	<p><i>no steps have been taken. Aggrieved this application has been filed. In this regard, reliance has been placed on the judgement of the High Court passed on 30th April 2014 in W.P.S.T. 532 of 2010 (Nemai Ch. Chatterjee & Others -Vs- State of West Bengal & Others).</i></p> <p><i>Having heard the learned advocate for the applicant and considering the facts and circumstances of the case, this application is disposed of by granting liberty to the applicant to file representation annexing copies of the relevant documents ventilating his grievances before the Chief Medical Officer of Health, Purulia, respondent 2 (iii) within four weeks from the date of obtaining a copy of this order. After such representation is filed, the Chief Medical Officer of Health, Purulia shall dispose of the same by passing a reasoned order to be communicated to the parties within twelve weeks after giving an opportunity of hearing and after verifying the records and after being satisfied that the applicant had worked continuously on temporary basis without break before recruitment in service permanently and thereby completed ten years of uninterrupted service.</i></p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>SOUMITRA PAL CHAIRMAN</p>	