

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 854 OF 2019**

Dr. Gita Bhaumik 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
2 10.12.2019	<p>For the Applicant : Mr. S. Ghosh, Mr. G. Halder, Mr. R.K. Mondal, Learned Advocates.</p> <p>For the State Respondents : None.</p> <p>For A.G. (A &amp; E), W.B. : Mr. B. Mitra, Departmental Representative.</p> <p>Affidavit of service filed on behalf of the applicant today is kept on record.</p> <p>The applicant has prayed for direction upon the respondents for grant of benefits of Career Advancement Scheme (in short, CAS) and Modified Career Advancement Scheme (in short, MCAS) on completion of 16 years and 25 years of satisfactory service and consequential refixation of pension.</p> <p>The applicant joined as Junior Research Assistant under Directorate of Social Welfare on 25.11.1985 and thereafter as Psychologist at Pavlov Institute of Mental Disease on 28.09.1988 and thereafter as Psychologist at N.R.S. Medical College and Hospital under the Department of Health and Family Welfare, Government of West Bengal on 22.02.1991. She ultimately retired from service on January 31, 2015. The applicant did not get the benefit of CAS and benefit of MCAS on completion of 16 years and 25 years of satisfactory service respectively. It is contended on behalf of the</p>	

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applicant that she worked in a single cadre post having no promotional avenue and as such she is entitled to get benefit of both CAS and MCAS. The adhoc service rendered by the applicant from September 30, 1988 to August 9, 1990 has been regularised and benefit is given to the applicant for the said period of service by order dated November 14, 2017 issued by the Joint Secretary to the Government of West Bengal, Department of Health and Family Welfare. As a result, CAS benefit was also given in favour of the applicant after her retirement from service by issuing order dated October 29, 2015 by the Medical Superintendent-cum-Vice Principal, N.R.S. Medical College and Hospital. However, the grievance of the applicant is that she has not yet received actual benefit of CAS and MCAS for completion of 16 years and 25 years of satisfactory service and order has not yet been passed for refixation of pension after increase of salary of the applicant for getting CAS benefit and benefit of regularisation of adhoc service before joining in the permanent post. The applicant submitted one representation both before the respondent No. 1 and respondent No. 2 on April 22, 2019, but the said representation has not yet been considered by the said respondents.

Having heard Learned Counsel for the applicant and the Department Representative of the respondents A.G., West Bengal, we are of the view that the representation of the applicant with regard to her claim for benefit of CAS and MCAS on consideration of regularisation of her previous adhoc service and refixation of basic pay for grant of pension should be considered in accordance with the

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<p>Rajib</p>	<p>rules by which the applicant is governed.</p> <p>Accordingly, the respondent No. 1, the Principal Secretary to the Government of West Bengal, Department of Health and Family Welfare is directed to consider the representation submitted by the applicant on April 22, 2019 (annexure D to the original application) in accordance with law by passing a reasoned order within a period of eight weeks from the date of communication of the order and to take necessary follow-up action within a period of four 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 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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