

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

The Hon'ble Urmita Datta (Sen)
& The Hon'ble Dr. A. K. Chanda

Case No – OA-16 of 2017

Nirmal Kumar Pandit.

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><u>04</u> 19.03.2018</p>	<p>For the applicant : Mr. Gourav Halder, Learned Advocate.</p> <p>For the Respondent : Mr. Goutam Pathak Banerjee, Learned Advocate.</p> <p>The instant application has been filed praying for following relief :-</p> <p>a) Direction upon the respondents to include the applicant's name in the final gradation list being Annexure "J" to the instant application and to promote the applicant to the post of Lower Division Assistant/Lower Division Clerk by considering the applicant's representation .</p> <p>b) Set aside the final gradation list being annexure –J to the instant application in which the applicant's name has been deleted.</p>	

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<p style="text-align: center;">04 19/03/2018</p>	<p>According to the applicant his name was included in the draft seniority list of eligible Group-D employees attached to different Directorate/Offices under the Food & Supplies Deptt., Govt. Of West Bengal for the purpose of promotion to the post of LDA/LDC vide order dated 14.12.2015(Annexure-H) at serial No. 12. However, subsequently in the final seniority list dated 17.02.2016 his name was not included. Being aggrieved he has filed one representation dated 20.02.2016 (Annexure-K) before the District Controller of Food & Supplies, Purba Mednipur, who in turn vide his communication dated 26.02.2016 (Annexure-L) to the Deputy Secretary, Food & Supplies Deptt., Govt. Of West Bengal had requested to take suitable steps with regard to inclusion the name of the applicant in the final gradation list as the applicant is going to retire on 30.04.2017.</p> <p>Though in the meantime the applicant retired from service but till date neither his name has been included nor has his name been considered in the final gradation list.</p>	

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<p style="text-align: center;">04 19/03/2018</p> <p style="text-align: center;">sc</p>	<p style="text-align: center;">During the course of hearing the counsel for the applicant has submitted that his representation is pending since 2016 and no reply has been filed till date, it would suffice his purpose if the authority will be directed to take a final decision in this regard within a stipulated period of time.</p> <p style="text-align: center;">Mr. Banerjee appearing for the state respondents has raised no objection to the said proposal.</p> <p style="text-align: center;">In view of the above, respondent no. 2 is directed to take a decision with regard to inclusion of the name of the applicant as referred in the letter dated 26.02.2016 (Annexure – L) in the final gradation list of eligible Group – D employees for the purpose of promotion to the post of LDA/LDC and communicate the same by a reasoned and speaking order within a period of four weeks from the date of receipt of the order. Accordingly the O.A. is disposed of with the above direction.</p> <p style="text-align: center;">DR. A.K. CHANDA MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p>	

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