

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

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

Case No – OA -775 OF 2017

Mr. Tarak Paik. 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>06 <hr/>05/03/2018</p>	<p>For the Applicants : Mr. Lakshminath Bhattacharya, - - - - - For the State Respondents : Mr. G.P. Banerjee, - - - - -</p> <p>The instant application has been filed praying for following relief;</p> <p>a) Direct the State respondents particularly the respondent No.6 to respondents authorities to grant the benefit to the petitioner on the basis of Memorandum No,1107-F(P) dated 25.02.2016;</p> <p>b) Direct the State respondents particularly the respondent no.6 to take necessary steps for implementation of the Memorandum No.1107-F(P) dated 25.02.2016 regarding the grant benefit to the daily rated workers.</p> <p>c) Direct the Respondent No.6 to produce the all records relating to the instant case.</p> <p>d) To pass such further or other order or order as this Hon'ble Tribunal may deem fit and proper.</p> <p>The counsel for the Respondent, however, has raised preliminary objection on the maintainability of the OA since the communications referred in the OA by which the applicant is claiming that his case was recommended by the authority is internal documents of the department. Therefore, without filing any representation or availing the alternative opportunity</p>	

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GM	<p>before the authority, he cannot file the instant OA. Therefore, he has prayed for dismissal of the OA on this ground. However, during the course of hearing the counsel for the applicant has submitted that he wants to withdraw the instant OA with a liberty to make detailed representation before the authority which may be disposed of by the authority as per the relevant rules and circulars applicable in this issue. The counsel for the respondent has no objection to the said proposition. Accordingly, OA is dismissed as withdrawn with a liberty to the applicant to approach the appropriate authority and the authority may dispose of the representation, if filed, by the applicant as per the relevant rules and circulars applicable in the present issue.</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">DR. A. K. CHANDA MEMBER(A)</p> <p style="text-align: center;">Sd/-</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER(J)</p>	

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