

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Officiating Chairperson & Member (J)

Case No. –OA 1003 of 2019

Ruby Deb - VERSUS - The State of West Bengal & Ors.

Serial No. and
Date of order

11
27.09.2022

For the Applicant : Mr. M.N. Roy,
Mr. G. Halder,
Learned Advocates.

For the State Respondents : Mr. S.K. Mondal,
Learned Advocate.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536-WBAT/2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

The counsel for the respondents has submitted that they have no obligation to communicate any ACR to the concern employee. However, in the instant case, they have send his file along with all the required ACRs to the PSC, who had selected the candidate for promotion as per their own procedure however the applicant did not get any promotion. The state respondents have submitted that the applicant cannot claim that due to non-communication of ACRs, she was not selected for promotion. As per the earlier order dated 19.09.2022, the Registry had sent the notice to PSC on 23.09.2022 even then today none appear for the PSC. However, reply of PSC is necessary to adjudicate the instant case. Therefore, a last chance is granted to PSC to submit their reply otherwise the case will be decided on the basis of available on record.

Let the matter be listed on 10.11.2022 under the heading "Further Hearing"

HS

Mrs. URMITA DATTA (SEN)
Officiating Chairperson & Member (J)