

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA 124 of 2020

PRASANTA DAN - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. M.N. Roy & Mr. G. Halder Advocates
<u>05</u> 05.02.2021	For the State respondents	: Mr. S.N. Roy Advocate

The matter is taken up by the single Bench pursuant to the Notification No.949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub-Section (6) of Section 5 of the Administrative Tribunals Act, 1985.

The Council for the Applicant, today, has filed “Vakalatnama” in place of earlier. The Council for the Applicant has also prayed for leave to make appropriate amendment in the cause title with regard to Respondent No. 1. Prayer is allowed.

The Council for the Applicant has further submitted that, since he has prayed for enhancement of his monthly remuneration by way of extension of Finance Department Memo No.9008-F(P), dated 06.09.2011 & Memo No.4011-F(P), dated 20.05.2013 as well as Memo dated 25th February, 2016 being No.1107-F(P), Memo No.1033-F(P2) dated Howrah, the 8th February, 2019 and Memo No.3998-F(P2) dated 15.07.2019, it would suffice his purpose if the Respondent No. 3 be directed to consider his case in accordance with law and disburse the arrear if he would be found eligible within a stipulated period of time.

The Council for the Respondent has no objection for such consideration.

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Vs.

THE STATE OF WEST BENGAL & ORS.

Case No. **OA 124 of 2020**

In view of the above, the Respondent No. 3, i.e., the Secretary, Water Resources Investigation & Development Department, Government of West Bengal is directed to consider the case of the Applicant taking into account the Finance Department Memo No.9008-F(P), dated 06.09.2011 & Memo No.4011-F(P), dated 20.05.2013 as well as memo dated 25th February, 2016 being No.1107-F(P), Memo No.1033-F(P2) dated Howrah, the 8th February, 2019 and Memo No.3998-F(P2) dated 15.07.2019, as per law and if he would be found eligible as per the same Memo, he would have been granted benefit of the said notifications along with the arrear. Such decision should be communicated by way of a Reasoned and Speaking Order with a period of 6(six) weeks from the date of receipt of this Order and if the Applicant would be found eligible as per the said Finance Department Memos, he would be granted benefit of such notification within a period of 4(four) weeks thereafter along with the arrear. Accordingly, the OA is disposed of.

Both the parties are directed to act on the Wabe Copy of the Order.

Urmita Datta(Sen)
Member(J)