

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 437 of 2019

Sanjib Kumar Halder -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M.N. Roy,

Ld. Advocate.

For the State respondent : Mrs. S. Agarwal,

Ld. Advocate.

20
09.05.2024

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Mrs. Agarwal in her submission objects to the admissibility of this application having a prayer for promotion with effect from 15.02.2019. Argument is supposedly based on a judgment of the Hon'ble Supreme Court by which no employee can agitate for a promotional post at a subsequent date unless he had joined the said post. Mrs. Agarwal agrees to share the details of the case with Mr. Roy.

Mr. Roy after having examined such a judgment will respond to the submission of Mrs. Agarwal.

Let copies of this judgment also be filed by the next date.

Let the matter appear under the heading "Hearing" on 27.08.2024.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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