

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 584 of 2023

Amitava Bandyopadhyay – **VERSUS** – The State of West Bengal & Ors.

Serial No. and For the Applicant : Mr. A. Roy, Ld. Advocate.

Date of order For the State respondent : Mr. Shaon Bhattacharya, Ld. Advocate.

02
03.01.2024

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.

Affidavit of service filed be kept on record.

Submission of Mr. Roy is that the applicant being senior was denied the benefit of ROPA, 2009 as was given to his junior, Probir Kumar Batabyal, the proforma respondent. According to Mr. Roy, the applicant was appointed in the post of Staff Officer Instructor on 14.03.1985 where as the junior, Probir Kumar Batabyal was appointed later on 01.10.1985. Submission is that from the above dates, it is clear that the applicant was senior to Probir Kumar Batabyal, the proforma respondent. Though being senior to the applicant, the basic pay at the time of superannuation was only ₹24,010/- per month whereas the pay of Probir Kumar Batabyal was fixed at ₹24,520/- per month. The applicant had furnished a representation before the respondent authorities to consider his case and prayed for stepping up his pay from ₹24,010/- to ₹24,520/- per month w.e.f. 01.07.2013. But the respondent authorities have not till date either enhanced his pay in parity with the proforma respondent or responded to the representation. Submission is that a direction may be given to the respondents to consider his prayer in this application.

After hearing the submission of Mr. Roy, it is the direction of this Tribunal to the respondent authority to file a reply by the next date.

Let the matter appear under the heading “**Reply/Rejoinder**” on **27.06.2024**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)