

**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 734 of 2023**

**Amit Mahato-- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mrs. S. Mitra, Ld. Advocate.  
Mrs. S. Samanta, Ld. Advocate.  
For the State respondent : Mr. S.K. Mondal, Ld. Advocate.

03  
02.05.2024

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 23<sup>rd</sup> 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.

The applicant has prayed for a direction to the respondent authorities to re-engage him to the post of Water Carrier-cum-Sweeper. Submission of Mrs. Mitra is he has been working in the post since 2016 but was abruptly dis-engaged without any formal orders and without any rhyme or reason.

After hearing the submissions of the learned counsels, it is understood that the applicant substituted the service of his mother as a part-time Sweeper-cum-Water Carrier sometime in 2016 though no formal order of engagement was issued. Such service was terminated in January 2023. Here also, no formal termination order was issued. Since the engagement was purely on an informal engagement, it was not felt necessary to issue any formal order terminating his service. It is clear that the post in which the applicant was serving was neither a sanctioned post nor engaged after due approval of the competent authority.

Mrs. Mitra, learned counsel for the applicant only prays for re-consideration of the decision taken by the respondent authority on humanitarian ground.

Mr. Mondal, learned counsel for the State respondents does not object if a representation is furnished by the applicant before the same respondent.

Having heard the submission, the respondent no. 2 (f), the Assistant Director of Agriculture, Purulia-II Block is directed to consider such a representation, if filed within six weeks time from today and dispose of the same as per norms within a reasonable period of time.

Accordingly, this application is **disposed of**.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**