

22.01.2021.

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**Calcutta High Court
In the Circuit Bench at Jalpaiguri**

WPA 606 of 2019

**Shib Sankar Das
-versus
State of West Bengal & Ors.**

**Mr. Kumar Shantanu
...For the Petitioner.**

**Mr. Bikramaditya Ghosh
...For N.B.S.T.C.**

This matter had been kept in the next Circuit since the petitioner was not represented when the matter was called yesterday. Since counsel appearing for both the parties mentioned before the court requesting that the matter should be taken up in this Circuit, the matter is taken up today in the presence of both counsel.

The petitioner served the North Bengal State Transport Corporation (hereinafter referred to as NBSTC) from November 1990 till the date of his superannuation on 31st July, 2017. The case made out by the petitioner in the writ petition is that the petitioner has been deprived of the benefit of the career advancement scheme (hereinafter referred to as CAS) for entitlement to higher salary and higher terminal benefits together with the revision of PPO.

Learned counsel submits that despite two representations made on 19th March, 2018 and on 26th September, 2018 to the NBSTC, none of the representations have been responded to by the Authorities.

Learned counsel for the concerned respondents submits that disciplinary proceedings were pending against the petitioner but agrees that no response was given to the representation. It is submitted that the possession discloses the grounds for not extending the CAS to the petitioner.

The affidavit-in-opposition filed in court today be taken on record. The petitioner chooses not to file an affidavit-in-reply.

On hearing learned counsel, the petitioner is directed to file a fresh representation to the concerned respondents within four weeks from date. The respondent no.3 will consider the representation and pass a reasoned order on the same upon hearing all concerned parties including the petitioner. The reasoned order should be passed within a period of three weeks from the date on which the representation is received from the petitioner. A copy of the reasoned order shall be communicated to the petitioner within one week from the date on which the reasoned order is passed.

WPA 606 of 2019 is disposed of in terms of the above.

Urgent photostate certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Moushumi Bhattacharya, J.)