

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

WPA 123 of 2023

Chandan Kumar Saha
Vs.
The State of West Bengal and Ors.

Mr. Anirban Banerjee
Ms. Sriya Basu
..for the petitioner

Mr. Bikramaditya Ghosh
...for the NBSTC

Mr. Subir Kumar Saha, AGP
Mr. Pretom Das
..for the State

Item No. 10

Judgment on: 30.01.2023

BIBEK CHAUDHURI, J. : –

The grievance of the petitioner is that he has not been granted the benefit of Career Advancement Scheme (CAS) after completion of 20 years of continuous service. Therefore, the petitioner has prayed for issuance of writ of mandamus directing the respondent to grant such relief which he is entitled in accordance with law.

It is the case of the petitioner that in the year 1991 he was appointed as Grade-II driver in NBSTC at Coochbehar. On 30th July, 2017 he took voluntary retirement in accordance with law with the terms and conditions of the scheme. Before seeking voluntary retirement he completed 20 years continuous service but the respondent authority denied 20 years benefit of CAS. On 10th November, 2022 he made a representation before the respondent No.3, the Managing Director, NBSTC praying for such benefit. But the said representation was not entertained by the respondent No.3 which led the petitioner to file the instant writ petition.

In usual fairness it is submitted by the learned Government Pleader for the respondent Nos. 2 and 3 that the representation dated 10th November, 2022 ought to have been considered by them.

In view of such submission, the instant writ petition is disposed of directing the respondent No.3 to consider the instant writ petition as a representation by the petitioner and to dispose of the same within four weeks from the date of communication of this order.

The parties are at liberty to communicate the server copy of this order and the respondent No.3 is directed to act on the server copy of this order.

(Bibek Chaudhuri, J.)