

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –**OA 441 OF 2018**
SUNIL KANTI KAR Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>1</p> <hr/> <p>09.10.2018</p>	<p>For the Applicant : Mr. U.K. Bhattacharyya Advocate</p> <p>For the Respondents: None</p> <p>For the A.G., West Bengal : Mr. B. Mitra Departmental Representative</p> <p>Affidavit of service filed be kept on record. Despite service of notice, none appears on behalf of the respondent nos. 2(i) to (viii).</p> <p>In this application, the applicant, who had superannuated on 30th November, 2004 from the post of Sub-Assistant Engineer (Relief) in the office of the Block Development Officer, Moyna Block, District – Purba Medinipur, has prayed for a direction upon the respondents, particularly on the District Magistrate, Purba Medinipur and on the Principal Accountant General (A&E), West Bengal, the respondent nos.2 (ii) and 2(viii) respectively to pay the revised monthly pension and arrears with interest with effect from 1st January, 2008 after issuing revised pension payment order to the applicant in terms of order dated 14th April, 2009 communicated under Memo No. 345 / Estt. Dated 16th April, 2009. Prayer has also been made to take necessary steps for payment of monthly revised pension with arrears</p>	

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	<p>with effect from 1st January, 2008 in terms of the said order dated 14th April, 2009 and for disposal of the representation dated 22nd November, 2017 being annexure “E” to the Original Application addressed to the District Magistrate, Purba Medinipur.</p> <p>It is submitted by Mr. U. K. Bhattacharyya, learned advocate for the applicant, that the applicant is entitled to get the benefit of the memo dated 19th September, 2008 in connection with the Pay Scale of the Sub-Assistant Engineer under the West Bengal Sub-ordinate Services of Engineers and being entitled to get the facility of the said memo he exercised his fresh option on 17th February, 2009 before the District Magistrate, Purba Medinipur. Prayer is appropriate order may be passed directing consideration of the representation dated 22nd November, 2017 pending before the District Magistrate, Purba Medinipur, the respondent no.2 (ii) and for a direction upon the Principal Accountant General (A&E), West Bengal, the respondent no.2 (viii) to release the retiral benefits.</p> <p>Mr. B. Mitra, Departmental Representative appearing for the Principal Accountant General (A&E), West Bengal, the respondent no.2 (viii) submits that if the matter is sent before the Principal Accountant General (A&E), West Bengal, appropriate steps will be taken.</p>	

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SCN.	<p>Having heard Mr. U.K. Bhattacharyya, learned Advocate for the applicant and Mr. B. Mitra, Departmental Representative for the Principal Accountant General (A&E), Indian Audit and Accounts Department, Office of the Principal Accountant General (A&E), West Bengal, Kolkata, the respondent no.2(viii) and considering the facts and circumstances of the case, the original application is disposed of by directing the District Magistrate, Purba Medinipur, the respondent no.2 (ii) to dispose of the representation dated 22nd November, 2017 by passing a reasoned order to be communicated to the parties within eight weeks from the date of presentation of a copy of this order after giving an opportunity for hearing to the applicant and after perusing the records. After the order is passed, the said order shall be sent to the Principal Accountant General (A&E), West Bengal, Kolkata, the respondent no.2 (viii) within a fortnight and upon receipt of the same the Principal Accountant General (A&E), West Bengal, Kolkata, the respondent no.2 (viii) shall dispose of the matter by passing appropriate order regarding passing of revised pension payment order and consequent grant of revised pension and the arrears of pension, if found eligible, within eight weeks.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	