

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 1191 OF 2017

BABAJI CH. SINGH 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 23.07.2018</p>	<p>For the Applicant : Mr. S.S. Mondal Learned Advocate</p> <p>For the Respondents: None</p> <p>For the A.G., West Bengal : Mr. B. Mitra Departmental Representative</p> <p>By consent of Mr. Mondal, learned Advocate for the applicant and Mr. B. Mitra, Departmental Representative of Principal Accountant General(A&E), West Bengal, the matter is taken up for “Admission Hearing” though the matter has appeared in the list under the heading “To Be Mentioned”.</p> <p>In this application, the applicant, who was appointed as General Duty Assistant, Grade III, on 2nd August, 1969, has prayed for a direction upon the State respondents to release and disburse his retirement benefits, including death-cum-retiring gratuity along with interest and to release family pension including arrear pension with interest. It appears that the applicant last attended his duty on 28th November, 2002. According to him due to prolonged ill health he could not continue with his duties from 29th November, 2002. Though his date of</p>	

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	<p>superannuation was 30th June, 2009, due to compelling and unavoidable circumstances, he applied for voluntary retirement from 29th November, 2002. Mr. S.S. Mondal, learned Advocate for the applicant submits till date no steps have been taken either accepting the prayer for voluntary retirement or for payment of dues.</p> <p>Mr. B. Mitra, Departmental Representative submits that as it is evident that the applicant did not attend his duties since 29th November, 2002 till his date of superannuation, actions taken are in accordance with law.</p> <p>Having heard Mr. Mondal, learned Advocate for the applicant and Mr. B. Mitra, Departmental Representative for the Principal Accountant General, Indian Audit and Accounts Department, Office of the Principal Accountant General (A&E), West Bengal, Kolkata, respondent No. 5 and considering the facts and circumstances of the case, this original application is disposed of by granting liberty to the applicant to file a representation, annexing copies of relevant documents, ventilating his grievances, before the Director, Directorate of Health Services, West Bengal, Kolkata the respondent No. 2 within four weeks from the date of obtaining the certified copy of this order. If such representation is filed, the same shall be disposed by the Director, Directorate of Health Services, West Bengal, Kolkata the respondent</p>	

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SCN.	<p>No.2 by passing a reasoned order to be communicated to the parties within twelve weeks after giving an opportunity for hearing to the applicant and after perusing the records.</p> <p>No order as to costs.</p> <p>Urgent Photostat certified copy of this order, if applied for, be furnished to the parties on priority basis.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	