

**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 388 OF 2018

**DR. NILADREE BOSU 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 style="text-align: center;">3</p> <hr/> <p>17.08.2018</p>	<p>For the Applicant : Mr. K. Chakraborty Mrs. S. Mitra Advocate</p> <p>For the Respondents: Mr. S.N. Ray Advocate</p> <p>For the A.G., West Bengal : Mr. B. Mitra Departmental Representative</p> <p>In this application, the applicant, who was working in the office of the Director of Dairy Development, Calcutta as Chief Inspector (Licensing), has prayed for a direction upon the respondents to release full pension from 1<sup>st</sup> May, 2017 with arrears along with interest and also for payment of subsistence allowance @ 75% with effect from 16<sup>th</sup> October, 2013 till 30<sup>th</sup> April, 2017, that is the date of retirement. It appears that the applicant was involved in a criminal case as evident from paragraph 2(c) of the application. The applicant was put under suspension on 16<sup>th</sup> July, 2013 which continued till 30<sup>th</sup> April 2017. Accordingly, the applicant was paid 50% subsistence</p>	

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	<p>allowance. It is submitted by Mr. Chakraborty that since the applicant is not getting pension and as provisional gratuity is yet to be disbursed, appropriate order may be passed disposing of this application by directing grant of interim allowance.</p> <p>Mr. S.N. Ray, learned advocate appearing for the State respondent submits that since the petitioner is involved in a criminal case, pension and gratuity at this stage cannot be granted. Such stand is supported by Mr. B. Mitra, Departmental Representative of the Principal Accountant General (A&amp;E), West Bengal.</p> <p>Having heard the learned advocates for the parties 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 praying for interim allowance before the Principal Secretary to the Government of West Bengal, Animal Resources Development Department (ARDD), Kolkata, the respondent No. 1 within four weeks from the date of having a copy of this order. After such application is filed within the time as stipulated, the Principal Secretary to the Government of West Bengal, Animal Resources Development Department (ARDD), Kolkata, respondent No. 1 shall dispose of the same by passing a reasoned order to be communicated to the parties within</p>	

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SCN.	<p>eight weeks after giving an opportunity of hearing and after verifying the records.</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>	