

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Dr. Subesh Kumar Das

Case No – **OA 1082 OF 2017**

Amitabha Ghosh 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
03 <hr/> 04.05.2018	<p>For the Applicant : Mr. P. Das, Learned Advocate.</p> <p>For the Respondents : Mr. A.L. Basu, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicant retired on February 28, 2013 as Head Clerk from the office of Milk Commissioner, Government of West Bengal. The departmental proceeding was initiated against the applicant while he was in service and the punishment was imposed on the applicant by the Disciplinary Authority on December 30, 2011. The said order of punishment was challenged by the applicant before this Tribunal by filing OA-590 of 2014 which was disposed of on August 10, 2016. The Tribunal directed the Disciplinary Authority of the applicant to reconsider quantum of punishment imposed on the applicant within stipulated period of time after setting aside the punishment imposed on the applicant. Accordingly, the Disciplinary Authority imposed punishment afresh after setting aside the previous punishment imposed on the applicant as directed by the Tribunal on August 10, 2016 in connection with OA-590 of 2014. The fixation of pay of the applicant was revised by the respondent no. 2 by passing a reasoned order on December 7, 2016. The grievance of the applicant is that his</p>	

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Amitabha Ghosh

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 1082 OF 2017**

pension and other retirement benefits have not been revised in accordance with the revision of pay of the applicant.

Learned Counsel for the applicant submits that the applicant has received pension and other retirement benefits after imposition of initial punishment on him but the said pension and other retirement benefits have not been revised in accordance with the revision of pay done by the respondent no. 2 on December 7, 2016.

We are informed that the respondent no. 3 is the Pension Sanctioning Authority of the applicant. Having heard Learned Counsel representing the applicant, Learned Counsel representing the state respondents and the authorized representative of AG (A&E), West Bengal, we are of the view that the respondent no. 3 is duty bound to pass an order in connection with revised pension, arrears of gratuity, if any, and arrears of leave encashment, if any within stipulated period of time. Accordingly, the respondent no. 3 is directed to take necessary steps for fixation of revised pension of the applicant, arrears of gratuity and arrears of leave encashment in accordance with revision of pay done by the respondent no. 2 on December 7, 2016 within a period of 12 (twelve) weeks from the date of communication of the order. The respondent no. 3 is further directed to send a copy of this order along with necessary documents to AG (A&E), West Bengal within

ORDER SHEET

Amitabha Ghosh

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 1082 OF 2017**

<p>Sanjib</p>	<p>a period of 2 (two) weeks from the date of the respective orders.</p> <p>With the above direction, the original application is disposed of.</p> <p>Let a plain copy of this order be supplied to all the parties.</p> <p>(S.K. DAS) MEMBER(A)</p> <p>(R. K. BAG) MEMBER (J)</p>	
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