

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 278 OF 2017**

Pradip Kumar Chakraborty 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
06 29.11.2018	<p>For the Applicant : Mr. M.N. Roy, Learned Advocate.</p> <p>For the Respondents : Mr. R.A. Chowdhury, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents to pay the amount of Group Insurance and the amount of General Provident Fund to the applicant.</p> <p>The applicant retired as Upper Division Clerk from the office of District Magistrate, Cooch Behar on January 31, 2014. It appears from record that the punishment of dismissal from service was imposed on the applicant by the disciplinary authority on conclusion of disciplinary proceeding after retirement of the applicant from service. The appellate authority had set aside the order of punishment imposed on the applicant by the disciplinary authority and remanded the case back to the disciplinary authority for fresh consideration of the punishment to be imposed on the applicant by the disciplinary authority. It is contended on behalf of the applicant that the final order of punishment has not yet been imposed on the applicant after remand of the case to the disciplinary authority by the appellate authority.</p>	

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Pradip Kumar Chakraborty

Form No.

.....

**Vs.**

**The State of West Bengal & Ors.**

.....

Case No. OA 278 OF 2017

Mr. M.N. Roy, Learned Counsel for the applicant, submits that the applicant is entitled to get the amount of Group Insurance and the amount of General Provident Fund as the said amount of money has nothing to do with the punishment to be imposed on the applicant by the disciplinary authority. We have also heard Mr. Chowdhury, Learned Counsel representing the state respondents.

In our view, the applicant is entitled to get the amount of GPF and the amount of Group Insurance after retirement even if final order of punishment has not yet been imposed by the disciplinary authority on the applicant. Accordingly, the respondent no. 2, District Magistrate and Collector, Cooch Behar is directed to take steps for disbursement of the amount of GPF and the amount of Group Insurance of the applicant within a period of 12 (twelve) weeks from the date of communication of the order.

With the above direction, the original application stands **disposed of.**

Let a plain copy of this order be supplied to both parties.

( S.K. DAS )  
MEMBER(A)

( R. K. BAG )  
MEMBER (J)

Sanjib