

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 32 OF 2015

Smt. Mitra Mitra 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
14 10.08.2018	<p>For the Applicants : Mr. R.N. Dutta, Mr. A.K. Ghosh, Mr. H.K. Haldar, Learned Advocates.</p> <p>For the Respondents : Mr. B.P. Roy, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the materials on record, we find that the applicant has crossed the retirement age without any decision on her prayer for voluntary retirement and without conclusion of the departmental proceeding initiated against her while she was in service. As a result, the applicant is deprived of all retirement benefits to which she would have been entitled. Even the applicant is deprived of the amount of money deposited by her in the GPF.</p> <p>Under such circumstances, the respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Urban Development is directed to furnish the following information supported by relevant document and an Affidavit of the competent officer of the said department :</p> <p>(i) whether disciplinary proceeding initiated against</p>	

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	<p>the applicant has already been concluded, and if concluded, what final order has been passed in the said disciplinary proceeding.</p> <p>(ii) what final order has already been passed on prayer of the applicant to retire voluntarily from service and if no final decision has yet been taken, the reasons for not taking final decision on prayer of voluntary retirement of the applicant.</p> <p>(iii) whether the applicant was permitted to retire from service on attaining age of superannuation by passing specific order, and if no such order has been issued, the reasons for not passing such an order when the applicant has already attained the age of superannuation.</p> <p>The above information supported by relevant documents must be filed by the respondent No. 1 within a period of 8 (eight) weeks from the date of passing this order. The Advocate on record for the state respondents will communicate this order to the respondent no. 1 positively within a period of one (01) week from this date.</p> <p>Since the applicant has already crossed the retirement age and since the applicant has not received the amount of money deposited by her in the GPF account, in spite of submission of application by the applicant, we direct the</p>	
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respondent no. 1, Principal Secretary to the Government of West Bengal, Department of Urban Development to ensure release of entire amount of GPF along with interest accrued thereon to the applicant within a period of 8 (eight) weeks from this date.

List the matter under the heading "**Hearing**" on **27.11.2018**.

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib