

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 370 OF 2016**

Surja Kanto Mondal 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
11 27.09.2018	<p><b>For the Applicant : Mr. K. Sahoo, Learned Advocate.</b></p> <p><b>For the Respondents : Mr. S. K. Mondal, Learned Advocate.</b></p> <p>Affidavit of service filed today on behalf of the respondent no. 2 is kept on record.</p> <p>The applicant has prayed for direction upon the respondents to disburse pension, gratuity, leave salary and other retirement benefits of the applicant.</p> <p>The applicant was appointed as Constable in West Bengal Police on September 20, 1985. Three different departmental proceedings were initiated against the applicant for unauthorised absence of 1039 days and he was placed under suspension from June 9, 1994 to June 11, 1996. Ultimately, the applicant was dismissed from service by the disciplinary authority on June 11, 1996.</p> <p>It appears from the Affidavit filed on behalf of the respondent no. 2 that the applicant has already been paid balance amount of GPF and the amount of Group Insurance to which the applicant was entitled after his dismissal from service. Learned Counsel for the applicant contends that the applicant is entitled to</p>	

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get pension, gratuity, leave salary and other retirement benefits.  
On consideration of the provisions of Rule 33 of West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971, we are constrained to hold that the applicant is not entitled to get any retirement benefit after his dismissal from service on the ground of misconduct as his past service is forfeited.

In view of our above findings, the present application is **dismissed.**

**( S.K. DAS )**  
MEMBER(A)

**( R. K. BAG )**  
MEMBER (J)

Sanjib