

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 51 OF 2019

Arup Kanti Bhowmik 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
02 06.03.2019	<p>For the Applicant : Mr. G. Mustafa, Learned Advocate.</p> <p>For the Respondent : Mr. G.P. Banerjee, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents for not deducting Earned Leave of 113 days, for which the applicant is entitled to get leave salary.</p> <p>The contention of the applicant is that he retired from service on February 28, 2018 and he was entitled to get leave salary for 300 days of Earned Leave. The grievance of the applicant is that he has been paid leave salary for 187 days and 113 days of Earned Leave was deducted from the total Earned Leave accumulated in the leave account of the applicant.</p> <p>Having heard Learned Counsel representing both parties and on consideration of the entries made in the copy of the service book annexed to the original application, we find that total Earned Leave accumulated in the leave account of the applicant till the date of retirement from service is 187 days. The calculation sheet given in the form of memo dated March 16, 2018 by the Director of Small Savings & Ex-Officio Joint Secretary, Department of Finance, Government of West Bengal</p>	

ORDER SHEET

Arup Kanti Bhowmik

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 51 OF 2019**

in connection with Earned Leave granted in favour of the applicant from August 2, 2016 till November 17, 2017 tallies with the calculation of Earned Leave granted in favour of the applicant in page no. 19 of the copy of the service book annexed to the original application. Since there is no anomaly in calculation of Earned Leave granted in favour of the applicant, we are unable to accept the contention made on behalf of the applicant that the respondents have illegally deducted 113 days of Earned Leave from the total Earned Leave accumulated in the leave account of the applicant. Accordingly, we are of the view that the applicant has been rightly paid leave salary for 187 days of Earned Leave. As a result, the original application is **dismissed.**

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib