

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

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

**Case No – OA 718 OF 2017**

Samir Kumar Ghosal 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 28.11.2018	<p>For the Applicant : Mr. D.K. Chatterjee, Mr. M. Pal, Learned Advocates.</p> <p>For the Respondents : Mr. S. Bhattacharjee, Departmental Representative.</p> <p>For the AG (A&amp;E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicant has prayed for direction upon the respondents for grant of pension after setting aside order dated July 20, 2016 passed by Director of Land Records &amp; Surveys and Joint Land Reforms Commissioner, West Bengal.</p> <p>It appears from the materials on record that the applicant joined in the Group-D post on February 8, 2005 and retired from service on attaining 60 years on September 30, 2014 and thereby the applicant rendered service for 9 years 7 months and 29 days. Admittedly, there is shortfall of less than 6 months in qualifying service for grant of pension. The Government of West Bengal is empowered under Rule 36 of West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971 to condone the deficiency of 6 months in the qualifying service of a Government employee for grant of pension. Mr. Bhattacharjee, the Departmental Representative of the state respondents, has placed on record one letter dated November 16, 2018 along with its enclosures and submitted that District Land &amp; Land Reforms</p>	

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Form No. ....

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Officer, Bankura has already conveyed to the respondent no. 7 about the fact of condonation of deficiency of 4 months 7 days of service of the applicant by the Government of West Bengal for grant of pension and as such the applicant will get pension for qualifying service of 10 years. In view of placement of letter dated November 16, 2018 issued by the District Land & Land Reforms Officer, Bankura, we direct the respondent no. 7, Sub-Divisional Land & Land Reforms Officer, Bishnupur to take necessary steps for grant of pension to the applicant within a period of 12 (twelve) weeks from the date of communication of the order.

With the above direction, the original application is **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