

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 849 OF 2016**

Asraf Ali Middya 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
<p style="text-align: center;">15 <hr/>25.04.2018</p>	<p>For the Applicant : Mrs. S. Mitra, Learned Advocate.</p> <p>For the Respondents : Mr. A. Hati, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The report submitted on behalf of the respondent no. 2 is kept on record.</p> <p>The applicant has prayed for direction upon the respondents to release pension and other retirement benefits including gratuity along with interest.</p> <p>The applicant retired from the post of DI of Schools (SE) on January 31, 2015. The contention of the applicant is that the applicant has not yet received pension and retirement benefits including gratuity, though he has received final payment of GPF. It appears from the report submitted by the respondent no. 2 that the Department of School Education has not yet communicated vigilance clearance of the applicant, in spite of repeated reminders and as such the order for pension and retirement benefits of the applicant have not yet been decided. The last reminder was given by the Deputy Director of School Education (Administration) to the Deputy Secretary, Department of School Education (Vigilance) on February 26, 2016, but no response has yet been received even after lapse of almost 2 (two) years.</p>	

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Asraf Ali Middya

Form No.

Vs.

The State of West Bengal & Ors.

Case No. **OA 849 OF 2016**

Having heard Learned Counsel representing the respective parties and the authorised representative of AG (A&E), West Bengal, we direct the respondent no. 1, Secretary to the Government of West Bengal, Department of School Education to take a decision about vigilance clearance of the applicant and communicate the same to the respondent no. 2, Commissioner of School Education, West Bengal within a period of 4 (four) weeks from the date of communication of this order. The respondent no. 2, Commissioner of School Education, West Bengal is directed to take necessary action for issuance of order for payment of pension and other retirement benefits including gratuity to the applicant within a period of 8 (eight) weeks from the date of receiving communication about vigilance clearance from the respondent no. 1.

The respondent no. 3, Accountant General (A&E), West Bengal is directed to release order for payment of pension and other retirement benefits including gratuity in favour of the applicant within a period of 8 (eight) weeks from the date of receiving communication from the respondent no. 2.

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

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib