

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. – MA 75 OF 2020 [OA 541 of 2019]

Dr. Anuradha Das -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal,
Ld. Advocate.
For the State Respondent : Mr. G.P. Banerjee,
Ld. Advocate.

03
19.03.2021

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

The instant MA has been filed praying for a direction to the respondents to continue with the provisional pension as per order dated 29/08/2019 passed by this Tribunal in OA No. 541 of 2019. As per the applicant from perusal of the Memo dated 27.08.2020 (Annexure 'A') to the MA, it would be evident that though she was paid provisional pension from 01.05.2018 to 31.05.2019. However, thereafter, she has not been paid any provisional pension though there was a clear direction from this Tribunal to provide provisional pension even in the Memo dated 27.08.2020, the Principal, Calcutta National Medical College had asked for permission regarding direction for provisional pension to the Director of Medical Education and Ex-Officio Secretary, Department of Health & Family Welfare. However, she is not getting provisional pension since 01.06.2019. Therefore, the counsel for the applicant has prayed that direction may be given to the respondents to provide provisional pension till the final disposal of the OA.

The counsel for the respondent has submitted that though as per rules, the provisional pension has been sanctioned each year. However, since there is a court order for granting provisional pension, the respondents are ready to continue with the provisional pension. Heard both the parties and perused the record as well as order dated 29.08.2019, as there was already a

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order for granting provisional pension for interim measure, therefore, the respondents are further directed to make payment for provisional pension forthwith till the disposal of the OA. Accordingly, **MA is disposed of.**

OA-541 of 2019

Though, the OA has been listed for hearing today, since no reply has been filed, one further chance is granted to the respondents to file reply by 04 (four) weeks and rejoinder, if any, to be filed by the applicant within a period of 02 (two) weeks thereafter. List the matter under the heading **“Hearing”** on **30.06.2021.**

Mrs. URMITA DATTA (SEN)
MEMBER (J)

HS/CSM