

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-94 of 2021

Baneswar Kumbhakar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S. Maiti Learned Advocate.
	For the State Respondent	: None.
<u>02</u> 05.03.2021	For the A.G.W.B.	. Mr. B. Mitra.

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24.12.2020 issued in exercise of the power conferred under Sub-Section (6) of Section 5 of the Administrative Tribunal Act, 1985.

Affidavit of service has been filed. Let it be kept with the record.

The instant application has been filed praying for re-fixation of pension and other pensionary benefits by way of taking 25 years of service as claimed by him. According to the applicant, he has made a representation 16.04.2020 which is still pending before the authority.

During the course of hearing, the counsel for the applicant has submitted that it would suffice his purpose if the respondent No. 5 would be directed to take final decision with regard to his re-fixation of pension and other pensionary benefits within a stipulated period of time treating the OA as a part of his representation.

None for the respondent.

The Departmental representative of A.G.W.B. has submitted that since the applicant has made a prayer for re-fixation of pension and other pensionary benefits, unless and until the department would take any final decision, the office of A.G.W.B. has nothing to do in this regard.

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In view of the above, Respondent No. 5 is directed to consider the representation of the applicant treating the OA as a part of it and to pass a reasoned and speaking order and communicate the same to the applicant within a period of eight weeks from the date of receipt of this order. Accordingly, OA is disposed of with no order as to costs.

URMITA DATTA (SEN)
MEMBER (J)

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