

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. –OA 188 OF 2021

KINKAR CHANDRA DEY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	:	Mrs. Sonali Mitra,
and			Advocate
Date of			
order	For the State Respondents	:	Mr. Gautam Pathak Banerjee,
			Advocate
<u>9</u>			
17.01.2024	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath Mitra, Departmental Representative

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

By filing this application, the applicant has prayed before this Tribunal for a direction to the respondent authority to condone the shortfall of 39 days to complete 10 years of continuous service as a G.D.A. which will enable him to receive the pension. In this regard the applicant has furnished a representation before the respondent No.2, the Chief Medical Officer of Health, Purulia on 22.04.2019. Submission of Mrs. Mitra is that though such representation was submitted in the year, 2019, but till date, neither such shortfall has been condoned nor any intimation made to the applicant.

Appearing on behalf of the respondent authority, Mr. Banerjee, learned counsel submits that if a direction is given to the concerned respondent authority, the same will be complied as per Rules.

In view of such submissions, the respondent No.2, the Chief Medical Officer of Health, Purulia is directed to examine and consider the representation dated 22.04.2019 furnished before him in accordance with law and dispose of the same with intimation to the substituted applicant, Shaiba Dey, widow of the deceased employee. The application is disposed of.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.