

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 240 of 2023

Lalmohan Modal - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Mr. S. K. Mitra,
and Advocate
Date of order
4
19.11.2024 For the Respondents : Mr. S. Ghosh,
Advocate
For the Pr. A.G. (A & E), : Mr. B. Mitra,
W.B. (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 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

The applicant has filed prayer for condonation of the shortfall in service to qualify him for pension before the Superintending Engineer, Executive Engineer and Sub-Divisional Officer, Purulia under Rule 36 of DCRB Rules, 1971. Mr. Mitra, learned counsel admitting that the applicant ought to have filed such representation praying for condonation before the competent authority which is the head of the department prays for liberty for the applicant to file representation before the respondent no. 1, Principal Secretary, Department of Irrigation and Waterways. Mr. Ghosh and Mr. Mitra, learned counsels and the departmental representative do not object. Liberty is given to the applicant to file a proper representation before the respondent no. 1, Principal Secretary, Department of Irrigation and Waterways praying for condonation of the shortfall in service. The Principal Secretary to examine such a representation under the relevant rules and take a final decision within a reasonable period of time and communicate the same to the applicant within two weeks thereof.

This application is disposed of.

**SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P/H.S.