

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. OA – 276 of 2022

Milan Tamang - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.
and
Date of order
6
19.09.2022

For the Applicant : Mr. S. Samanta,
Mr. B. Samanta,
Mr. P.K. Mandal,
Ms. S. Samanta,
Advocates

For the State Respondents : Mr. D. Koley,
Advocate.

For Pr. A.G. (A & E),
West Bengal : Mr. B. Mitra,
Advocate

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 536 – WBAT / 2J-15/2016 dated 26th August, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Today the counsel for the applicant has drawn my attention to the order dated 07.06.2022 and has submitted that he retired on 31.10.2017, but, till date, he has not been paid any retiral benefit including the pension. He has further submitted that even he has already enclosed one Vigilance Clearance Report along with this O.A. that there is no departmental proceeding or criminal proceeding against the applicant. However, after making repeated representation before the authority, till date, he has not been paid any pension and pensionary benefit. Today the counsel for the respondent has placed one order dated 20.05.2022 issued by the Joint Secretary, Government of West Bengal School Education Department and has prayed for time.

I have gone through the letter dated 20.05.2022 and it is noted that admittedly the pension of the applicant is pending at the end of the department.

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However, the Vigilance Files are not traceable.

Therefore, Department is directed to specifically submit whether any departmental or criminal case is pending against the applicant or not and in the interim, they are directed to grant provisional pension as per last pay drawn as mentioned in Single Comprehensive Form enclosed along with the instant application and to make appropriate submission by the next date. The respondents are directed to bring the Service Book of the applicant in original by the next date. It is noted that the applicant has retired even repeated representation has been made by the applicant to the authority.

Let the matter be listed on **27.09.2022** under the heading '**Admission Hearing**'.

URMITA DATTA (SEN)
Officiating Chairperson and Member (J)

A.K.P.