

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. OA – 754 of 2021

Bidhan Chandra Ghosh - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>7</u> 28.04.2022	For the Applicant	: Mr. J. Chakraborty, Mr. P.S. Ghosh, Advocates
	For the Respondents	: Mr. G.P. Banerjee, Advocate
	For the A.G. (A & E), West Bengal	: None.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt. – II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

With the consent of both the parties, the matter has been taken up for hearing.

Today the counsel for the respondent has submitted that he is not in a position to submit about the present status of the pension payment and representation as directed by this court vide order dated 17.03.2022. However, the counsel for the applicant has submitted that he is getting provisional pension. He has not been paid gratuity and commuted value of pension. However, G.P.F., G.I.S. and Leave Encashment have been paid belatedly. During the course of the hearing, the counsel for the applicant has prayed that since they have already passed final order dated 19.05.2020 imposing punishment of 30% cut in pension, in the interim, during the pendency of the instant application they may be directed to make payment admissible portion of the pension, commuted value of pension and gratuity.

Heard both the parties and perused the records.

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THE STATE OF WEST BENGAL & ORS.

In view of the above, the respondents are directed to file reply by four weeks and rejoinder, if any, by two weeks thereafter.

In the mean time, the respondents are directed to make payment of admissible portion of the pension and commuted value of pension within a period of four weeks from the date of receipt of the order and to dispose of his representation.

Let the matter be listed on **30.06.2022** under the heading '**Reply, Rejoinder and Objection**' before the Registrar Bench.

URMITA DATTA (SEN)
MEMBER (J)

A.K.P.