

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 113 OF 2024**

UTTAM KUMAR MONDAL - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mr. Sankha Ghosh Advocate
<u>01</u> 02.04.2024	For the State Respondents	:	Mr.Soumendra Narayan Ray Advocate
	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 and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to grant him his pension with arrears and other retiral benefits from the day he attained the age of superannuation on 31.12.2015. From the submissions and the records it appears that due to medical reasons, the applicant was not able to attend his office since 13.12.2011. Though he had furnished a prayer for voluntary retirement in the year 2011, but no decision was taken by the respondent authorities in this regard. Since the absent period from 2011 to 2015 are to be regularized, Mr.S.Ghosh, learned counsel prays for liberty to file a representation before the respondent authorities praying for such regularization. Liberty given to the applicant to file a representation before the respondent authorities giving specific days of his absence and seeking regularization as per rules.

The respondent No. 3, the Director, Directorate of Drugs Control is directed to accept such a representation, if filed by the applicant and consider

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regularization of the absent period as per rules within a period of three months from the date of submission of such representation.

Mr.S.Ghosh also prays for liberty to file a supplementary affidavit enclosing copy of the representation as stated above. Let such supplementary affidavit be filed with the representation by the next date.

The matter is admitted. Let the matter appear under the heading 'Hearing' on 22nd August, 2024. Reply, rejoinder, if any, in the meantime.

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

BLR