

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 136 OF 2020

HARADHAN SAMANTA - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

11
23.12.2024

For the Applicant	:	Mr. Swapan Kumar Nandi Advocate
For the State Respondents	:	Mr.Sankha Ghosh Mrs. Subarna Das 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 retired as Steward from Medical College, Kolkata on 31.03.2008. Subsequently, his revised pension papers were submitted before the Pr.AG (A&E), WB. The office of the Pr.AG (A&E), WB returned the revised pension proposal through a letter addressed to Principal, Medical College, Kolkata on 03.10.2016 seeking certain clarifications. Submission of Mr.S.K.Nandi is that since the Principal, Medical College, Kolkata has not responded to these clarifications, therefore, his revised pension is yet to be sanctioned.

Earlier, directions were given to the respondent side through their learned counsel, Mr.S.Ghosh, to confirm before this Tribunal whether the respondent No. 3, the Principal, Medical College has furnished replies to these clarifications or not. Such a direction was first given on 16.05.2023. Today 23.12.2024, Mrs.S.Das, learned counsel appearing on behalf of Mr.S.Ghosh, prays for further accommodation to confirm

ORDER SHEET

Form No.

HARADHAN SAMANTA

Case No **OA 136 OF 2020**

Vs.
THE STATE OF WEST BENGAL & OTHERS.

whether such clarifications have been provided or not.

To the Tribunal, it is highly unethical and sheer mockery of justice that for a very simple issue in which the Tribunal wanted to know whether the clarifications asked by the Principal Secretary has been given or not. It has taken more than a year and till today, such reply has not been furnished by the State side. The applicant having superannuated on 31.03.2008, though receives the pension, but his prayer for revised pension is still not being acted upon by the respondent authorities. It is not only frustrating to the applicant, but the Tribunal is also of the impression that the respondent authorities, in particular, the respondent No. 3 Principal, Medical College has wilfully avoided to respond.

Joining the hearing of this matter later, Mr.S.Ghosh, learned counsel submits that, as instructed, the respondent No.3, the Principal, Medical College has already submitted these clarifications on 21.09.2020 to the Director of Health Services. It is also disappointing to see from a copy that the Principal Accountant General (A&E) had requested the Principal, Medical College for such clarifications by its Memo. 129202 dated 03.10.2016.

The Respondent No.2, the Director of Health Services is directed that the clarifications asked by the Principal Accountant General (A&E) to the Principal, Medical College be submitted before the Principal Accountant General (A&E) within 30 days from the date of communication of this order.

The application is disposed of.

BLR

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