

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 149 OF 2020

DEVASIS MODAK

- VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

08
12.07.2022

For the Applicant : Mr. Anshunath Chakraborty
Advocates

For the State respondents : Mr. Goutam Pathak Banerjee
Advocate

For the Principal Accountant General : Mr. Biswanath Mitra
(A&E) West Bengal (Departmental Representative)

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.

As prayed for by Mr.A.Chakraborty, learned advocate for the applicant, leave granted to add the Director, Directorate of Industrial Training, West Bengal, Karigari Bhavan, Kolkata, the respondent 2(VI) by amending the cause title of the application. Since Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents, accepts service of notice on behalf of the added respondent, no further copy of the application need be served.

In this application, Devasis Modak, who had superannuated on 28th February, 2019 as a clerk of ITI Chinsurah, Hooghly, has prayed for certain reliefs, the relevant portion of which is as under:

“ a) To issue necessary direction upon the respondent authorities to calculate the interests as prescribed over his provident fund amounts amounting to Rs. 5,10,000/- (Five lakhs and ten thousand rupees only) for the period from

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April 2015 to the date of actual payment and to pay the same to the applicant at an earliest convenience.”

Mr.Chakraborty, learned advocate for the applicant submits that since the GPF amount has been transferred to his salary account (SBI, A/c No. 20075086335) on 27th March, 2019 in place of GPF Account (No. MISC/WB/41793) and as a result of which he is losing interest, the respondents may be directed to consider the representation dated 28th May, 2019 and the reminder dated 17th September, 2019 and to pass a reasoned order so that the grievances of the applicant are redressed.

Mr. Banerjee, submits that by mistake the amount of GPF has been transferred to the salary account by the DDO concerned which has been received by the applicant.

Mr.B.Mitra, Departmental representative for the Principal Accountant General (A&E) West Bengal, submits that though the Principal Accountant General is not a party respondent, since a copy of the original application has been served, he has been directed by the authorities to appear in the matter. Mr.Mitra adopts the submission of Mr.Banerjee.

In reply, learned advocate for the applicant submits that the respondents may be directed to look into the matter and do necessary correction so that his client does not lose the interest amount.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file representation ventilating his grievances,

ORDER SHEET

Form No.

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annexing copies of the letters dated 28th May, 2019 and 17th September, 2019 before the Director, Directorate of Industrial Training, Kolkata, the respondent no. 2 (VI), the added respondent, within four weeks from the date of obtaining a copy of this order downloaded from the website of the Tribunal. If representation is filed, same shall be disposed of by the Director, Directorate of Industrial Training, the added respondent, by passing a reasoned order to be communicated to the parties within eight weeks after giving an opportunity of hearing to the applicant and other necessary parties, after verifying the records and the accounts.

(SOUMITRA PAL)
CHAIRMAN

BLR