

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 165 OF 2022

SISIR KUMAR GHOSHAL - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order For the Applicant : Mr. Manujendra Narayan Roy
Advocate

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29.06.2022 For the State respondents : Mr. Aniruddha De
Mr. Sourav Deb Ray
Ms. Ruma Sarkar
(Departmental Representatives)

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.

In this application, Sisir Kumar Ghoshal, the applicant, has prayed for certain reliefs, the relevant portion of which is as under:

“(a) An order do issue directing the concerned respondent authorities to allow your applicant to draw provisional pension or interim allowance in terms of Rule 10 or Rule 14 of the West Bengal Services (Death cum Retirement Benefit) Rules, 1971 within a stipulated time period keeping in mind that the applicant has already superannuated from service on 31.12.2019 and till date the criminal case as well as disciplinary proceeding is pending.

(b) An order do issue thereby directing the respondent authorities to pay the GIS amount within a stipulated time period, as the same has been accrued by the applicant during his service tenure.

(c) An order do issue directing the respondent authorities to pay interest @ 18% on GIS amount till the actual date of realization of the same.”

Mr. M.N.Roy, learned advocate for the applicant submits since the

ORDER SHEET

Form No.

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THE STATE OF WEST BENGAL & ORS.

applicant is entitled to interim allowance, appropriate order may be passed.

It is submitted by Mr.A.De, the Departmental representative for the Land and Land Reforms and Refugee, Relief and Rehabilitation Department that since the interim allowance has already been granted as evident from the intimation dated 2nd June, 2022 by the Senior Accounts Officer (Assistant Accountants Office) in the Indian Audit & Accounts Department, Kolkata to the Sub-Divisional Land & Land Reforms Officer, Bankura (Sadar), the respondent no. 3, no order may be passed. Let a copy of the letter dated 2nd June, 2022 along with a copy of P.P.O. dated 31st May, 2022 be kept on record.

Mr.Roy, submits that since the applicant is yet to receive the amount, direction may be issued on Sub-Divisional Land and Land Reforms Officer, Bankura (Sadar), the respondent no. 3 to expedite release of the amount.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, since the interim allowance has been allowed as evident from the intimation dated 2nd June, 2022 issued by the Senior Accounts Officer (Assistant Accountants Office) with effect from 1st January, 2020, the application is disposed of by directing the Sub-Divisional Land and Land Reforms Officer, Bankura (Sadar), the respondent no. 3 to issue appropriate order directing the authorities to release the interim allowance with effect from 1st January, 2020 within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal.

BLR

(SOUMITRA PAL)
CHAIRMAN