

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 197 OF 2022

JAMINIMOHAN CHATTERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mrs. Sonali Mitra, Advocate
<u>4</u> 16.08.2022	For the State Respondents	: Mr. Debabrata Koley, 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.496-WBAT / 1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

Since in spite of service of notice none had appeared on behalf of the State respondents, pursuant to the order dated 5th August, 2022 passed by the learned Registrar, Mr. Debabrata Koley, learned advocate, who normally appears on behalf of the State authorities, was requested to appear on behalf of the State respondents and had entered appearance on behalf of the State respondents. Today also Mr. Koley appears on behalf of the State respondents. The learned Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr. Koley.

As prayed for by Mrs. Sonali Mitra, learned advocate for the applicant leave granted to add the Government of West Bengal represented by the Principal Secretary, Higher Education Department, Kolkata, as a party respondent by amending the cause title of the application. Since Debabrata Koley, learned advocate appearing on behalf of the State respondents accepts service of notice on behalf of the added respondent, no further notice need be served on the added respondent.

In the application, Jaminimohan Chatterjee, the applicant, who had

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superannuated on 30th October, 1990 as Deputy Secretary of Higher Education Department, has prayed for a direction upon the respondents to issue revised pension payment order so that he may draw revised pension / family pension with effect from 1st January, 2020 in terms of the memo dated 1st October, 2019 read with Department memo dated 23rd December, 2019 and No.55-F(Pen) dated 3rd March, 2020 along with interest.

At the very outset it is submitted by Mrs. Mitra that after the application was filed, the Senior Accounts Officer, in the office of the Principal Accountant General (A&E), West Bengal, Kolkata has issued pension payment order, a copy of which is furnished today. Let it be kept on record. Submission is since revised pension payment order has been issued, the respondents may be directed to pay the revised pension and to release the arrear pension along with interest.

Heard Mr. Debabrata Koley, learned advocate for the State respondents and Mr. Biswanath Mitra, departmental representative for the Principal Accountant General (A&E), West Bengal.

Having heard the learned advocates and the departmental representative, since revised pension payment order has been issued by the authorities, considering the said fact the application is disposed of by directing the Principal Secretary, Higher Education Department, Government of West Bengal, Kolkata, the respondent no.1 to grant the revised pension / family pension to the applicant in terms of the revised pension payment order within fifteen weeks from the date of from the date of presentation of a copy of this order downloaded from the website of the Tribunal along with arrears on compliance of formalities, if any, by the applicant along with interest in accordance with law, after verifying the records.

(SOUMITRA PAL)
CHAIRMAN