

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 23 of 2023.

BHARATI CHOWDHURY- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

06
21.3.2024

For the Applicant	: Mr. K. Bhattacharjee, Learned Advocate.
For the State Respondents	: Mr. S.N. Ray, Learned Advocate.
For the Principal Accountant General (A & E) W.B.	: Mr. B. 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

Mr. Ray by filing a set of documents submits that in terms of this Tribunal's direction, now the respondent authority has submitted a proposal of pension before the Office of Principal Accountant General(A & E) West Bengal after the service book has been reconstructed. Let the set of documents filed by Mr. S.N. Ray be kept on record.

Pending sanction of the full pension, Mr. Ray also submits that in the meantime and in terms of the direction of this Tribunal, the applicant has been given provisional pension.

With regard to the regularisation of leave, Mr. Ray draws attention to last page dated 20.3.2024 and submits that since 1519 days were unauthorised absence, this period has been regularised through dies-non.

Mr. Bhattacharjee has not agreed that this period was under unauthorised absence and submits that during this period, the applicant was on medical treatment. Medical leave was applied, but no sanction was given. Mr. Ray

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responds to Mr. Bhattacharjee and submits that no such medical application with documents have ever been submitted by the applicant before the respondent authorities. Therefore, such statement cannot be accepted.

Having heard the submissions of the learned counsels and considering the facts and circumstances of this application, this application is disposed of by directing the Principal Accountant General (A & E) West Bengal to examine the proposal of full pension submitted by the respondent authorities and take necessary suitable action, preferably within three months and communicate the same to the applicant within eight weeks thereafter in respect of pension and other retiral benefits as admissible to her.

Let this matter be listed under the heading "For Orders" on 09th May, 2024.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

Sk.