

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

Case No. - OA 253 of 2016

**Sankar Kumar Chaudhuri VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: Mr. S.N. Ray, Learned Advocate.
	For the State Respondent	: N O N E.
<u>20</u> 12.02.2021	For the A.G., W.B.	: Mr. B. Mitra, Depttl. Representative.

The matter is taken up by the Single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020, issued in exercise of the powers conferred under sub section (6) of Section 5 of the Administrative Tribunals Act, 1985.

The counsel for the applicant today has submitted that though his client retired on 31.12.2015 but till date he has not received any retiral benefit except provisional pension for 2 or 3 three years. Thereafter, the Senior Accounts Officer Pension XIII vide his communication dated 29.10.2015 addressed to Block Medical Officer of Health, Kalchini, Jalpaiguri had asked for certain clarification/documents but till date no action has been taken.

The Departmental Representative for the A.G., W.B., has submitted that though vide letter dated 29.10.2015 (Annexure 'A') and subsequently vide Memo dated 22.12.2015 (Annexure 'B'), the Block Medical Officer of Health, Kalchini, Alipurduar addressed to the Senior Accounts Officer, Office of the Principal Accountant General (A&E) had engaged that till that date no reasoned order was passed by the state as per the Hon'ble High Court's order dated 11.07.2005. Therefore, A.Gs office is not in a position to take final decision though they have issued reminders dated 05.01.2017 and 04.06.2018. Heard the parties. It is noted that nobody is appearing for the respondents for long time and in the meantime, Mr. R.A. Chowdhury who was engaged as advocate for the respondent had expired. Even no reply has also been filed. It is a very sorry state of affairs that a person who retired in

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2015 is not getting his pensionary benefits even the provisional pension also for more than 6 years and no steps has been taken by the respondent authority to resolve the issue. Though, apparently no disciplinary proceeding and criminal proceeding is pending against the applicant. Therefore, one last chance is granted to the respondent authority to take appropriate steps immediately and to provide admissible pensionary benefits as per law and rules after taking appropriate steps. Reply to be filed by 4 weeks and rejoinder, if any, within 2 weeks thereafter. The applicant is directed to serve the copy of this order to the Principal Secretary, Department of Health & Family Welfare, Government of West Bengal to look into the matter and take appropriate steps. Let the matter be listed on **07.04.2021** for '**Further Hearing**'. The respondent is also directed to engage a representative and file report by the next date.

Csm

Mrs. URMITA DATTA (SEN)  
MEMBER (J)