

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 354 of 2024.

NIRMAL CHANDRA DAS - VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

01
05.08.2024

For the Applicant : Ms. A. Shaw,
Advocate.

For the State Respondents : None.

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.

Affidavit of service filed today be kept on record.

The applicant has prayed for a direction to the Respondent authorities to release his pension from the date of his retirement which is 30.04.2024. Ms. Shaw, learned counsel for the applicant refers to memo dated 30.5.2024 of the Principal Accountant General of Indian Audit and Accounts Department issued by the Senior Accounts Officer/Pen-IX. In this memo, “Nil” has been shown against the column “Pension”.

Mr. Mitra, learned departmental representative refers to the remarks and submits that since the applicant had not completed ten years of continuous qualifying service, therefore only service gratuity was released and not the pension.

From the submission of Ms. Shaw, it is clear to the Tribunal that the applicant not qualified for pension as he had not completed ten years of service, had not furnished any representation before the competent authority for condonation of the short fall in the qualifying service. As stated by Ms. Shaw, the applicant has a short fall of only eighty-two days to qualify him for regular pension.

It is therefore, clear that the applicant, as an employee, has not exhausted all the remedies available to him by furnishing a representation for

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condonation of deficiency of shortfall in qualifying service before his employer the respondent authorities. Unless he exhausts all such remedies available to him, this application becomes inadmissible before this Tribunal.

The application is disposed of.

HS/Skg.

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

WEST BENGAL ADMINISTRATIVE TRIBUNAL