

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,**

**Case No. - OA 362 OF 2023**

**SUDARSON MANNA - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

05  
10.09.2024

For the Applicant : Mrs. Sunita Agarwal  
Advocate

For the State respondents : Mr.Gourav Halдар  
Advocate

For the Principal Accountant : Mr.Biswanath Mitra  
General (A&E) West Bengal (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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to sanction and disburse his monthly Pension with effect from 01.12.2016 after condoning the shortfall of 1 month and 18 days for completing 10 years of qualifying service. As submitted by Mrs.Agarwal, learned counsel, the applicant was “regularised” as a Constable of West Bengal Police on 18.01.2007. After serving for 9 years 10 months and 12 days, he superannuated at the age of 60, thus, having a shortfall of 1 month and 18 days. Submission of Mrs.Agarwal is that this applicant having served for 9 years and 10 months has a shortfall of 1 month and 18 days to qualify him for Pension and other retiral benefits. Mrs. Agarwal, prays for liberty to amend the prayer suitably and also liberty to file a proper representation before the

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respondent authorities to condone this shortfall of 1 month and 18 days to qualify him for Pension and other retiral benefits. Such condonation as submitted can be exercised by the head of the Department under the Rule 36 of West Bengal Services (DCRB) Rules, 1971. Mr.Haldar, learned counsel for the State respondent has no objection, if such liberty is given.

Let the amended prayer and the representation be presented before this Tribunal on the next date of hearing. Matter to appear under the heading 'Hearing' on 3<sup>rd</sup> December, 2024.

**(SAYEED AHMED BABA)**  
**OFFICIATING CHAIRPERSON AND MEMBER (A)**

BLR