

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**HON'BLE JUSTICE SOUMITRA PAL,
HON'BLE SAYEED AHMED BABA,**

**HON'BLE CHAIRMAN &
ADMINISTRATIVE MEMBER.**

Case No. – OA 378 of 2020.

RAFI AHMED CHOWDHURY-VERSUS -THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order : For the Applicant : Mr. T. Dhali,
Ms. S. Dipti Saha,
Advocates.

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4.10.2021.

For the State Respondents : Mr. S. Ghosh,
Advocate.

Let rejoinder filed by S. Dipti Saha, learned advocate for the applicant be kept on record.

In this application, Rafi Ahmed Chowdhury, the applicant has prayed for several reliefs, the relevant portion of which is as under :-

“(a) An order directing the concerned respondent authorities to considered the representation letter dated 26.09.2020;

(b) An order directing the concerned respondent authorities to prepare final Provisional Pension Order and disburse of gratuity, commuted leave and other leave payments etc. with an immediate effect;

(c) An order directing the concerned respondent authorities to release monthly full pension to the petitioner forthwith;

(d) An order directing the concerned respondent authorities to pay arrear pension amount to be calculated from the date of retirement along with the interest applicable therein, forthwith;....”.

At the very outset, it is submitted on behalf of the applicant that though prayer has been made to prepare provisional pension payment Order and to disburse gratuity, commuted leave and other leave payments and monthly pension, however, as criminal case is pending

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against the applicant, appropriate order may be passed for grant of interim pension and the matter may be disposed of.

Relying on the reply Mr. S. Ghosh, learned advocate for the State respondents submits since a criminal case has been instituted against the applicant and is pending before the learned Additional Chief Judicial Magistrate, Durgapur based on the FIR lodged on 2nd May, 2019, no order may be passed with regard to preparation of Pension Payment Order, monthly pension and superannuation benefits. Submission is steps have been taken for grant of interim pension. A copy of the order dated 17th August, 2021 issued by the Assistant Accounts Officer in the office of the Principal Accountant General (A & E), West Bengal filed be kept on record.

In reply learned advocate for the applicant submits that respondent authorities may be directed to expedite the process for grant of interim pension.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, since it is submitted that interim pension may be directed to be granted to the applicant, considering the said prayer the application is disposed of by directing the Revenue Officer, Damodar Irrigation Revenue Division Number II, Durgapur2, Burdwan, West Bengal, - the respondent no. 4, to release interim pension in accordance with law within four weeks from the date of compliance of all formalities by the applicant.

(SAYEED AHMED BABA)
MEMBER (A).

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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