

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 390 of 2024

Provat Kumar Mridha -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. Gargi Roy, Ld. Advocate.

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

03
10.12.2024

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.

From the submissions of the learned counsels, it is understood that the applicant was involved in a criminal case and thus not able to join his duties. However, the applicant has not indicated anything about his involvement in a criminal case in this application. Though the applicant has superannuated on 31.01.2017 without receiving any farthing as his retiral dues but he has also not prayed for regularisation of those absent periods from 20.12.2012 till 31.01.2017. It is the opinion of this Tribunal that an employee, who had been absent for so long, has to present an application before the employer for regularisation of these absent periods. The applicant also has to reveal the real reason why he could not join his office. From the submissions, it becomes clear that being involved in a criminal case, was the main reason for his absence. Therefore, it is the opinion of this Tribunal that while praying for regularisation of his leave, the applicant should also reveal the details of his involvement in a criminal case.

With the above observations, this application is disposed of by giving liberty to the applicant to file a fresh representation before the Respondent No. 4, the District Panchayat & Rural Development Officer, Jalpaiguri. If such representation is filed by the applicant before him within sixty (60) days from today, Respondent No. 4, the District Panchayat & Rural Development Officer, Jalpaiguri shall examine the same and pass an order relating to his regularisation of absent period and release of all his admissible retiral benefits in accordance with the rules within three (03) months from the date of submission of the representation by the applicant and the decision taken by the Respondent No. 4, the District Panchayat & Rural Development Officer, Jalpaiguri will be communicated to the applicant within two (02) weeks thereafter.

Accordingly, this application is **disposed of**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)