

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. - OA-450 of 2020

Santi Nath Mitra. - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. M. N. Roy, Advocate.
<u>4</u> 24.02.2021	For the State Respondents	: Mr. S. N. Ray, Advocate.
	For the Principal Accountant General (A&E), West Bengal.	: Mr. B. Mitra, Departmental Representative.

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

Let a copy of the supplementary affidavit filed in the registry be served on Mr. S. N. Ray, learned advocate appearing on behalf of the State respondents and on Mr. B. Mitra, the departmental representative for the Principal Accountant General (A&E), West Bengal, - the respondent no. 2 which are served and accepted.

In this application, the applicant - Santi Nath Mitra, who had superannuated on 31st May, 2003, from the post of Mechanical Draftsman in the Department of Water Resources and Investigation Development, Government of West Bengal, has prayed for a direction upon the respondents to dispose of his comprehensive representation dated 24th August, 2020, praying for making payment of interest on the amount of deferred payment of gratuity and commuted pension from the date of superannuation to the date of payment.

Referring to the supplementary affidavit it is submitted by Mr. M. N. Roy, learned advocate for the applicant that since the said

representation has been filed before the authorities, directions may be issued upon the respondents for consideration of the same after giving an opportunity of hearing either to the applicant or through his authorised representative.

Mr. S. N. Ray learned advocate for the State respondents submits, if directed, the respondents will consider the said representation in accordance with law.

Mr. B. Mitra, the departmental representative submits that the Principal Accountant General (A&E), West Bengal, -the respondent no. 2, has no role to play in the matter of grant of interest on alleged delayed payment of gratuity and other superannuation benefits, if any, and it is for the department concerned to deal with the same.

Having heard the learned advocates for the parties, as prayed for on behalf of the applicant, the application is disposed of by directing the Director of Personnel & Ex-Officio Chief Engineer, Water Resources Development Directorate, Kolkata, -the respondent no. 4, to dispose of the representation dated 24th August, 2020, being annexure -‘A-15’ to the supplementary affidavit, by passing a reasoned order to be communicated to the parties within 15 weeks from the date of communication of this order downloaded from the internet/website after giving an opportunity of hearing, after verifying the records and after making proper enquiry. I make it clear that I have not gone into the merits of the application and all points are kept open to be dealt with by the respondent no. 4.

S.M.

(SOUMITRA PAL)
CHAIRMAN