

**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 459 OF 2020**

**NANDA DULAL CHAUDHURY - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and  
Date of order

11  
12.08.2024

For the Applicant : Mr.Gourav Halder  
Advocate

For the State respondents : Mr. Goutam Pathak Banerjee  
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 release interest on revised Gratuity, arrear Pension and leave salary from the date the effect of ROPA 2009 was given. The applicant had superannuated on 31.01.2008 and received all his Pension and other retiral benefits. The revised Pension and Gratuity was released to him on 27.05.2011. Though the applicant has no objection to the date when these revised Pension and Gratuity were released, but agitates that such revision should have been done in the year 2006. It has also been understood that the applicant was holding a post of Employment Officer on adhoc basis which was later confirmed after his retirement. Mr.Banerjee, learned counsel submits that there was no delay in releasing him his revised Pension and Gratuity. The applicant was receiving his Pension on regular basis after the decision was taken in the

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year 2010 to confirm the status of the applicant as Employment Officer.  
His Pension and Gratuity were revised in the year 2011.

Having heard the submissions, it is clear to this Tribunal that a decision was taken in the year 2010 for confirming his post as Employment Officer and in consequence of such decision, his Pension and Gratuity were released to him in the year 2011. The Tribunal fails to find any delay which allegedly had occurred. The Tribunal also has noted that the revised Pension order No. R-61487 (4) issued by the Office of the Principal Accountant General (A&E) West Bengal was not assailed before this Tribunal in the year 2020. There is also no explanation from the applicant side why this application challenging the impugned order dated 04.02.2010 was filed after a lapse of 10 years. The Tribunal is not satisfied to accept that there was a delay, if at all and was caused wilfully by the office of the respondents. Thus, finding no merit in this application, it is disposed of without passing any orders.

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

BLR