

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J).

The Hon'ble Mr. Sayeed Ahmed Baba, Member (A).

Case No. –OA 488 of 2019

Niharkanti Bhattacharya - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>13</u> 28.09.2021	For the Applicant	: Mr. G.P. Banerjee, Mrs. S. Mitra, Ld. Advocates.
	For the State Respondent	: Mr. D. Kole, Ld. Advocate.
	For the Pr. AG, WB	: Mr. B. Mitra, Departmental Representative.

The counsel for the applicant has submitted that though he retired on 31.12.2018 and no disciplinary proceedings or criminal proceedings is pending and only one show cause notice dated 11.03.2019 was issued to him, which he had already replied on 29.03.2019, but till date he has not received any retiral benefits. Even this Court vide their order dated 11.12.2019 had directed the respondents to disburse the admissible pensionary benefits including pension as per rules within four weeks of time and again on 13.02.2020 a last chance was granted to the respondents to disburse the pensionary benefits, but till date except provisional pension, nothing has been paid to him.

However, the counsel for the state respondents has submitted that they are ready for disbursement of all the pension and pensionary benefits in terms of their order dated 24.09.2021. The counsel for the respondents has further submitted that till date no charge sheet has been issued to the applicant. However, he wants to file reply as a last chance.

However, the Departmental Representative for the Principal Accountant General (A&E), West Bengal has submitted that they had issued PPO in favour of the applicant in January 2019. However, as long time has lapsed, the said PPO has to be revalidated.

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Form No.

Case No. **OA 488 of 2019**

Vs.

THE STATE OF WEST BENGAL & ORS.

In view of the above, the state respondents are directed to take appropriate measures to make payment of all the retiral benefits including pension within a period of six weeks from the date of receipt of the order. In the meantime, the respondents are at liberty to file reply by four weeks as a last chance and rejoinder, if any, by two weeks thereafter.

Let the matter be listed under the heading **“Hearing”** on **07.12.2021**.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

SAYEED AHMED BABA
Member (A)

Mrs. URMITA DATTA (SEN)
MEMBER (J)

CSM/SS