

**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 512 of 2024**

**Tushar Kumar Nath -- VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: None.
<u>05</u> <u>21.03.2025</u>	For the State Respondents	: Mr. G. P. Banerjee, Ld. Advocate.
	For the Pr. A.G.(A&E), W.B.	: Mr. B. Mitra, 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.

The applicant has filed this application praying for a direction to the respondent authorities to release his pension and other retiral benefits.

The Department of Technical Education and Training by its Memo No. 659 dated 21.10.2011 initiated a Departmental enquiry against the applicant, working as Principal, I.T.I, Malda for his alleged involvement of financial misappropriation. An order in the Departmental proceedings imposed a punishment of 10% cut on the actual admissible pension for a period of 10 years w.e.f. 01.09.2015. The applicant as the charged officer was asked to reply why such punishment would not be imposed on him. The applicant had superannuated on 31.08.2015.

After examining the records and after having heard the submissions of the learned counsels, the Tribunal has observed that his prayer for release of pension and retiral benefits are dependent to the show cause to be furnished by the applicant himself. The applicant furnished his reply to the second show cause notice, disagreeing with the proposed punishment to be passed by the Disciplinary authority. Since the disciplinary proceedings have been concluded and the final order has already been passed on 07.02.2025, the prayer in this application become infructuous and is disposed of without any orders.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

H.S.