

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-54 of 2020

Sk. Abir Chand **VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	:	Mr. K. Deo Das, Learned Advocate.
	For the State Respondents	:	Mr. S. Ghosh, Learned Advocate.
<u>06</u> 08.03.2022			

The instant application has been filed praying for following relief :-

- A)An order by directing the concerned authority to consider the representation dated 17.07.2019 by correcting the Provisional Pension Payment Order dated 27.06.2017 being No. PC. II/2241558023/1/1517124034/P/17/15/15641 be in Annexure-H of this application and further directing the respondent No. 4 to properly calculate the pension as per the DCRB Rules, and upon considering the representation being Annexure-F of this application.
- B)An order directing to take necessary steps as per the letter dated 21.05.2015 being Annexure-F of this application.
- C)Any other order or orders as Your Lordships may deem fit and proper.

As per the applicant, after the death of his father one promotion order was issued in favour of his father, however, his pensionary benefits was not fixed properly as per the said promotion order. The applicant had approached this Tribunal earlier in OA-1042 of 2018. The said application was dismissed as withdrawn as the applicant wants to withdraw the application and to approach the authority by way of filing a representation. Thereafter, the applicant submitted the representation before the authority on 19.07.2019. However, till date the said representation has not been considered by the respondents.

During the course of hearing, the counsel for the applicant has

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submitted that it would suffice the purpose of the applicant if the competent authority would be directed to consider the case of the applicant and communicate the same by way of passing a reasoned and speaking order within a stipulated period of time.

In view of the above, Respondent No. 4 is directed to consider the representation of the applicant dated 19.07.2019 treating this OA as a part of it and to communicate his decision by way of speaking and reasoned order within a period of eight weeks from the date of receipt of this order. Accordingly, OA is disposed of with no order as to costs.

Since the 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.

URMITA DATTA (SEN)
MEMBER (J)

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