

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 546 of 2019

Rabindranath Marik- VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Learned Advocate.
	For the State Respondent	: Mr. G.P. Banerjee, Learned Advocate.
<u>08</u> 30.09.2021		

The counsel for the applicant has drawn our attention to the order dated 14.08.2020, wherein it was observed that no provisional pension was received by the applicant though he retired in the year 2014. Subsequently, again on 26.08.2021, the respondent had asked for last chance to take appropriate steps for providing provisional pension to the applicant. However, today the counsel for the respondents has shown us one Memo dated 29.09.2021, which was received by him through whatsapp whereby the District Controller (F&S), Purba Midnapore had communicated that as per subsequent order of Joint Secretary, Food & Supplies Department dated 14.09.2021 and the Assistant Director, Vigilance dated 16.09.2021, he had sanctioned the provisional pension of the applicant to the tune of Rs. 6,652/- only in the month of September, 2021 as per instruction of the A.G., West Bengal dated 22.01.2021. The counsel for the applicant has vehemently objected to the said submission as the applicant is entitled to get the provisional pension not only for one month.

In view of the above, the counsel for the respondents has undertaken to take appropriate steps to provide provisional pension for arrear period as well as for further period by 16.11.2021.

Heard both the parties and perused the record as well as whatsapp communication. It is very surprising that when the applicant has made an application for provisional pension before this Court and

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the respondents had earlier undertake to take appropriate steps for providing provisional pension but instead of that they only sanctioned one month provisional pension except the entire period. Therefore, on the basis of undertaking of the Learned Counsel for the respondents, we grant one more last chance to take appropriate steps to provide provisional pension arrear as well as current provisional pension as per rules, otherwise appropriate order will be passed on the next date.

Let the matter be listed on **16.11.2021** under the heading “**Reply/rejoinder**”.

Mr. SAYEED AHMED BABA
MEMBER (A)

Mrs. URMITA DATTA (SEN)
MEMBER (J)

H.S