

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 – 583 of 2024

Bablu Bhowmik - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
20.12.2024

For the Applicant : Mr. T.D. Maity,
Learned Advocate.

For the State : None.
Respondents

For the Pr. A.G.W.B. Mr. B. Mitra.

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 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

Mrs. P. Sasmal has appeared on behalf of Mr. S.K. Mondal, learned counsel for the state respondent.

The applicant has prayed for a direction to the respondent authorities to release his retiral benefits including pension, gratuity and leave salary. From the submissions of Mr. Maity and the records referred to by him in this application, it is understood that the applicant had overdrawn a certain amount which was detected by the office of the Principal Accountant General. The Principal Accountant General's office by Memo 43611 dated 15.04.2024 advised the B.D.O., Onda Block, Bankura to resubmit the pension proposal of the applicant after re-fixation of pay and allowances and after assessment of the overdrawn amount. Mr. Maity has submitted that such recovery of overdrawn amount from the retiral benefits after retirement is in violation of law.

Mr. Mitra points out that prayers (a), (b) and (c) of the applicant in his application does not mention anything about the overdrawn amount and its recovery. Mr. Maity has also submitted that since the applicant has already retired, he prays for provisional pension in the meantime. Liberty is given to the applicant to furnish a prayer in the prescribed format before the B.D.O., Onda Block, Bankura praying for provisional pension. The Respondent No. 8, B.D.O., Onda Block, Bankura is directed to consider such prayer for provisional pension if furnished by the applicant in prescribed format before him within a reasonable period of time as per rules.

The matter is admitted.

Let the matter appear under the heading **Hearing on 17.03.2025**. Reply/rejoinder, if any, in the meantime.

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