

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 - 626 of 2024

Dr. Goutam Bandyopadhyay - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
21.01.2025

For the Applicant : Mr. G.P. Banerjee,
Ms. A.P. Banerjee,
Learned Advocates.

For the State Respondents : Mr. M.N. Roy,
Learned Advocate.

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.

From the submissions of the learned counsels and after examination of the records in this application it has become clear that the applicant had furnished a prayer for voluntary retirement w.e.f. 31.10.2016. Such an application was made before the Director of Health Services on 13.07.2016. The respondent authorities had not taken any decision relating to his prayer for voluntary retirement and in the meantime the applicant attained the age of 65 years and superannuated on 31.03.2023. From this fact, it is clear that the issue of accepting or rejecting his prayer for voluntary retirement is not relevant today. What is being prayed for by the applicant's side is a direction to the respondent authority to clear his pension and other admissible retiral benefits.

Mr. Roy, learned counsel submits that retiral benefits including pension, has to be first preceded by regularization of absent period from 2016 to 2023.

Since the applicant has furnished a representation before the Principal Secretary dated 18.11.2024 praying for disbursement of his pension and other retiral benefits, the application is disposed of by directing the Principal Secretary, Department of Health & Family Department to consider the representation of the applicant dated 18.11.2024 and take suitable action for release of his pension and other retiral benefits in accordance with law within a period of five months from the date of communication of this order.

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

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