

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. - OA 634 OF 2019

SUKLA GUPTA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No.	For the Applicant	:	Mrs. Sunita Agarwal, Advocate
and			
Date of order	For the State Respondents	:	Mr. Debabrata Koley, Advocate
<u>6</u> 12.09.2022	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath Mitra, Departmental Representative

Mrs. Sunita Agarwal, learned advocate for the applicant submits that the deduction of the overdrawal amount of Rs.5,13,711 deducted from her gratuity is illegal for the fact that the applicant had already retired prior to this date on 31st May, 2018. Mrs. Agarwal further submits that as per her revised pension payment order she shall get a monthly pension of Rs.19,939/-, however, she is actually getting a lesser amount of Rs.17,471/-. Prayer is that the respondent authorities may be directed to refund the overdrawn amount of Rs.5,13,711 as well disburse her monthly pension of Rs.19,939/-.

Mr. Debabrata Koley, learned advocate for the respondents submits that the applicant has not made any representation before the respondent authority ventilating her grievance. If such a representation is submitted, the respondent authority will consider as per law and dispose of.

SCN.

Mrs. Agarwal replies that due to ongoing adjudication in the Tribunal, the applicant did not submit any representation regarding the overdrawn amount to the respondent.

After hearing both the learned advocates and considering the facts and circumstances, the matter is disposed of by directing the respondent No.3, the Commissioner of School Education, Government of West Bengal to consider her representation, if submitted within a period of twelve weeks from the date of this order to be obtained from the website of the Tribunal and communicate the same to the applicant within a period of two weeks thereafter. Accordingly, the matter is disposed of.

(SAYEED AHMED BABA)
MEMBER (A)