

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 634 OF 2021

KRISHNADAS CHATTERJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. For the Applicant : Ms. P. Paul,
and Advocate
Date of For the State Respondents : Mr. Sankha Ghosh,
order Advocate
15
13.04.2023 For the Principal Accountant : Mr. Biswanath Mitra,
General (A&E), West Bengal Departmental Representative

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.

On consent of the learned counsels for the parties, the case is taken up for consideration sitting singly.

Heard submissions of the learned counsels.

Ms. P. Paul, learned advocate for the applicant files a copy of the Central Administrative Tribunal's order dated 16.03.2016 in O.A. 350/01801/2015: *Pradip Kumar Acharya vs. Union of India & Ors.* Submission of Ms. Paul is that the applicant in this O.A. was also an employee of Vocational Rehabilitation Centre and has also faced the same charges as this applicant. Submission is that since the Central Administrative Tribunal, by this order, has directed the respondent to release the retiral dues of the pensioner, the same direction may also be passed to the respondent authorities in this application.

Appearing on behalf of the State and Principal Accountant General (A&E), West Bengal, both Mr. Ghosh and Mr. Mitra submit that the criminal charges framed against the applicant are yet to be cleared by the appropriate Court and when, as per Rules, these are not cleared, the respondent is not in a position to release the retiral dues.

Reserved for order.

SCN.

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