

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**HON'BLE JUSTICE SOUMITRA PAL,
HON'BLE SAYEED AHMED BABA,**

**HON'BLE CHAIRMAN &
ADMINISTRATIVE MEMBER.**

Case No. – OA 640 of 2021.

JHARESWAR PALOI- VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Nitra, Advocate.
<u>2</u> 10.12.2021	For the State Respondents	: Mr. G.P. Banerjee, Mr. S.K. Chakraborty, Advocates.
	For the Principal Accountant General (A & E) West Bengal.	: Mr. B. Mitra, Departmental representative.

At the very outset, it is submitted by Mrs. S. Mitra, learned advocate for the applicant that though she has complied with the direction contained in the order dated 1st October, 2021, she is unable to trace the affidavit of service, which is to be filed. Mr. G.P. Banerjee, learned advocate for the State respondents and Mr. B. Mitra, the departmental representative for the Principal Accountant General (A & E) West Bengal – the respondent no. 4 submit that they are appearing for the respondents after copies of the application along with copy of the order dated 1st October, 2021 had been served.

In the application Jhareswar Paloi, the applicant has prayed for certain reliefs, the relevant portion of which is as under :-

“...a) Direction be given upon the respondents to forthwith sanction and disburse the Death Cum Retirement Gratuity(DCRG), Provident Funds, Group Insurance, Leave Encashment Salary and other terminal benefits and Pension to the applicant.

b) Direction be given upon the respondents to calculate and pay interest @ 8% per annum over the terminal benefits amount due and payable to the applicant from the date following the date of retirement from service, i.e. 01.08.2016 till date of payment of the said amount;

c) Direction be given upon the respondent to pay the

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arrear amount of Pension with effect from 01.08.2016 till date together with interest @ 8% per annum and to pay the pension month by month till death of the applicant... ”.

It is submitted by Mrs. Mitra that though the applicant had superannuated on 31st July, 2016, however pension and other superannuation benefits have been withheld on the ground that a criminal case is pending. Prayer is direction may be issued on the respondents to release interim allowance under rule 14 of the DCRB Rules, 1971, Provident Fund, Group Insurance and other admissible benefits.

Mr. Banerjee submits that the prayer of the applicant shall be considered and shall be granted in accordance with law upon compliance of formalities by the applicant.

Mr. B. Mitra, departmental representative of Principal Accountant General (A & E) West Bengal adopts the submission of Mr. Banerjee.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Divisional Forest Officer, Jhargram Division, Department of Forest, Government of West Bengal, - the respondent no. 3 to intimate the Applicant about the formalities to be complied with regard to release interim allowance, Provident Fund and other admissible allowances within a fortnight from the date of communication of this order downloaded from the website of the Tribunal and the applicant shall comply the formalities within fifteen

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days thereafter. After compliance of the formalities, the respondent no. 3 shall release interim allowance, General Provident Fund and other admissible allowances in accordance with law within eight weeks.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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