

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble SAYEED AHMED BABA, Officiating Chairperson & Member (A)**

**Case No. – OA- 65 of 2023**

**Sunil Sarkar VERSUS – The State of West Bengal & Ors..**

Serial No. and Date of order For the Applicant : Mr. G. Singh,  
Learned Advocate.

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12.06.2023 For the State Respondents : None.

For the Respondent No. 5 : Mr. Rajib Ray,  
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 23<sup>rd</sup> 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 contesting parties, the case is taken up sitting singly.

Affidavit of service & Vakalatnama filed be kept with the record.

The prayer in this application is for a direction to the respondents to release the General Provident Fund and leave encashment with interest to the applicant. At the very outset Mr. Rajib Ray, learned counsel appearing on behalf of Respondent No. 5, Provident Fund Commissioner, Kolkata submits that since the petitioner appears to be a State Govt. employee, therefore, his organisation, being the Central Provident Fund Commissioner has no role whatsoever in this matter. Therefore, he submits for expunging the name of the Respondent No. 5 from the array of the respondents in this application to which Mr. G. Singh, learned counsel for the applicant also agrees.

In view of the above submission of Mr. Ray, let the name of the Provident Fund Commissioner appearing as Respondent No. 5 be expunged from the array of respondents.

The matter is admitted.

After hearing the submission of learned counsel and considering the fact that the applicant is entitled to receive his balance amount of G.P.F. lying in his account, the application is disposed of by directing the Respondent No. 4, Superintendent of Police, Baruipur Police District, North 24 Pgs. to release his balance amount of G.P.F. by passing a suitable order within eight weeks from the date of communication of this order. As for the release of leave encashment, Respondent No. 4 shall examine and if found eligible, the same should also be released within twelve weeks from the date of communication of this order.

Accordingly, the matter is disposed of.

SAYEED AHMED BABA  
OFFICIATING CHAIRPERSON & MEMBER(A)

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