

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 657 OF 2023

SAMITA GHOSAL - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

04
28.01.2025

For the Applicant : Mr. S.K.Das
Advocate

For the State Respondents : Mrs. Sunita Agarwal
Advocate

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 and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for setting aside the impugned order dated 12.09.2023 and 25.08.2023 relating to excess payment of retiring Gratuity. Attention has been drawn to the relevant pages in this application by which the office of Principal Accountant General had advised the respondent authorities for recovery of excess amount. A correspondence of Principal Accountant General dated 18.02.2022 mentions Rs. 1,84,082/- as overdrawn of pay. Another correspondence from the same office dated 12.09.2023 advises the Treasury Officer, Ranaghat that an amount of Rs. 1,84,082/- was overdrawn by the employee contrary to Gratuity payment authority. The Memo. also advises the Treasury Officer to recover the same amount from the petitioner. The applicant had retired on 30.06.2021 as Deputy Nursing

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Superintendent, Nadia.

Mrs.Agarwal, learned counsel has submitted that in terms of advise given by the Principal Accountant General, the respondent authorities have already recovered the amount of Rs. 1,84,082/- from the petitioner's Gratuity. Mr.Das, learned counsel draws attention to Memo. No. 453 dated 23.03.2022 in which the Superintendent, Santipur S.G.Hospital mentions to the Treasury Officer that there are no dues to be recovered from the incumbent.

From the submissions of the learned counsels and the records, it is clear to this Tribunal that an amount of Rs. 1,84.082/- was drawn in excess by the applicant. The Principal Accountant General after deducting such overdrawn amount had advised the Treasury Officer to recover the same from the applicant's retiring Gratuity and the same was already recovered. Mr.Das, prays for accommodation to file a rejoinder to the reply.

Let such rejoinder be filed by the next date and the matter be listed under the heading "For Orders" on 16th June, 2025.

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

BLR