

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-66 of 2022
Mohan Kumar Halder VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. A. Sinha, Learned Advocate.
<u>03</u> 07.06.2022	For the State Respondent	:	Mr. S.N. Roy, Learned Advocate
	For the Pr. A.G.W.B.		Mr. B. Mitra.

In the instant application the applicant has prayed for release of his retirement benefits. The applicant was appointed as Excise Constable under the direction of Hon'ble High Court and the actual appointment took place on 22.11.2010. The applicant has already received his retirement dues except the pension for which there is a shortfall of five months twenty seven days. The counsel for the applicant prays for suitable direction may be given to the respondents to complete the e-pension paper of the petitioner so that the e-pension can be processed and all retiral benefits released in favour of the applicant forthwith without any hindrance.

Counsel for the state submits that although there is a shortfall of less than six months for condonation of service, however, under Rule 36 of D.C.R.B. Rules if the applicant submits a representation before the authority, they may condone the shortfall and allow his pension and release the same.

The counsel for the applicant submits that applicant will submit such representation to the authority requesting them to condone the said shortfall period under Rule 36 of D.C.R.B. Rules and to process and release his pension.

The state respondents is hereby directed that if in the meantime such representation is made by the applicant, the same shall be considered as per rules and dispose of the same within a period of three months from the date of receipt of the representation. Accordingly, OA is disposed of.

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**SAYEED AHMED BABA
MEMBER (A)**