

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 667 OF 2022

TAPAN KUMAR MONDAL - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Ms. Anita Shaw Advocate
<u>03</u> 31.01.2023	For the State respondents	: Mr. Ashok Kumar Das Sinha Advocate
	For the Principal Accountant General (A&E) West Bengal	: Mr. Biswanath Mitra (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 contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed today be kept on record.

The prayer in this application is for a direction to the respondent to condone the deficiency of 3 months 10 days of service for qualifying of pension and other retiral benefits.

Submission of Ms.A.Shaw, learned counsel for the applicant is that the applicant had submitted a representation before the respondent No. 2, the Chief Engineer, PWD (Head Quarter), Public Works Department on 08.02.2021.

Mr.A.K.Das Sinha, learned counsel for the State respondents responds by referring to the rule 36 of DCRB in which the Government has a discretion to condone such deficiency up to 6 months with conditions, if he thinks fit to

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impose.

Ms. A. Shaw, learned counsel submits that if a direction is given to the respondents to consider the representation and the same will be disposed of as per rules.

After hearing the learned counsels, the application is disposed of by directing the respondent No.2, the Chief Engineer, PWD (Head Quarter) to consider and dispose of the representation dated 08.02.2021 submitted by the applicant as per rules within a period of eight weeks from the date of communication of this order. Accordingly, the matter is disposed of.

BLR

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