

ORDER SHEET

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-699 of 2023

Ranjit Chakraborty -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant	: Mr. Chandan Misra, Ld. Advocate.
For the State Respondent No. 1	: Ms. R. Sarkar, Mr. S. Debray, Ld. Depttl. Reps.
For the Other Respondents	: Mr. M.N. Roy, Ld. Advocate.
For the Pr.AG (A&E), WB	: Mr. B. Mitra, Ld. Depttl. Rep.

03
08.02.2024

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.

The prayer in this application is for a direction to the respondent authorities to grant and release his revised service benefits including the pension after revision of his pay as per ROPA, 2019. The applicant also prays for a separate issue which is a direction to the respondent authorities to allow him to continue to occupy the Government quarter. The applicant retired from service on 31.07.2019 holding the post of Superintendent.

It is submitted by the respondents' side that the very two prayers were earlier heard by this Tribunal in OA 606 of 2022. In terms of a direction in that application, the respondent authority had passed the reasoned order on 06.12.2022. In the reasoned order, the Additional District Magistrate, L & LR and R,R & R, Nadia was directed to process and sanction the revised pension and other pensionary benefits, if any to the applicant. The reasoned order also dealt with his prayer for purchasing the Government quarter which he is occupying. Such prayer was considered and rejected since no Rule allows a Government employee to purchase the same Government quarters he has been occupying. The applicant was directed to vacate the quarter and hand over the possession to the office of Additional District Magistrate (L & LR and R,R & R), Nadia. From the records, it is also observed that in the past, the applicant was asked to vacate the quarter, but till date, he has not vacated the quarter.

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After considering the submissions of the learned counsels, this application is disposed of by directing the applicant to comply with the orders of the respondent authorities and vacate the quarter which he has been occupying without permission since 2019 within a period of three (03) months from the date of communication of this order. In the event, the applicant does not comply with this direction of the Tribunal, the respondent authorities are at liberty to initiate suitable legal action against him. The Tribunal is also aware that his prayer for revision of pension has already been addressed. Therefore, no order is required to be passed in this matter.

Accordingly, this application is **disposed of.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS