

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 714 OF 2022

SUMITAVA ROY - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

09
02.12.2024

For the Applicant	:	Mr.S.Banerjee Advocate
For the State Respondents	:	None
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 counsel and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

The applicant had retired on 31.10.2010 as a regular Lecturer under the Department. Prior to his regularisation w.e.f. 01.01.2001, he served in the same post of Lecturer on ad hoc basis. Having been regularised, he superannuated on 31.10.2010 completing 9 years 10 months of service. In the past, he had furnished a representation before the Administrative Department. A copy of the representation dated 06.07.2009 followed by reminders is seen in this application. A copy of Memo. No.28 dated 06.08.2020 addressed by the Officer-in-Charge, Regional Institute of Printing Technology, Kolkata to the Director of Technical Education and Training is noteworthy, the relevant line in this correspondence is as follows:

“During the entire period accounting for ad-hoc service as well the total tenure of service that he imparted was for 12 years and the said

ORDER SHEET

Form No.

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shortfall was a virtual shortfall of 2 months.”

Submission of Mr.Banerjee, learned counsel is that it will suffice, if the Tribunal passes a direction.

Having heard the submission, the Respondent No. 8, the Additional Chief Secretary is requested to examine the representation and take a final decision as to whether the applicant is entitled for regular pension or not, in accordance with the rules. His decision may be taken and recorded in a reasoned order within three months from the date of communication of this order and a copy be communicated to the applicant within two weeks thereof. The application is disposed of.

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

BLR