

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 731 of 2022.

SANJOY KUMAR BARIK - VERSUS- THE STATE OF WEST BENGAL AND OTHERS.

Serial No. and
Date of order

4
13.6.2023

For the Applicant : Mr. K.K. Bhattacharjee,
Advocate.
For the State Respondents : Mr. R.K. Mondal,
Advocate.

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 for the contesting parties, the case is taken up for consideration sitting singly.

The prayer in this application is for a direction upon the respondent to disburse the interest amount of 18% per annum over the pensionary benefits of the applicant.

Mr. R.K. Mondal, learned counsel appearing on behalf of the State respondents opposes the admission of this application on the ground that just before a month of his retirement, the applicant submitted his pension papers before the office i.e. on 02.12.2020. His retirement was from 31.01.2021. Mr. Mondal further responds by saying that on the same date itself, the proposal for pension was submitted to the office of Principal Accountant General (A & E), West Bengal.

After hearing the submissions of the learned counsels, the Tribunal is of the view that due to late submission of papers by the applicant, there was a considerable delay in submitting the proposal before the office of the Accountant General. The Pension Guidelines are clear that the responsibility of submitting required documents and pension form lies with the applicant himself. Had these

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papers from the applicant's side been submitted well in time, preferably six months before retirement, there would not have been any delay in processing his pension and releasing the same to the applicant. Therefore, for such delay on part of the employee, the employer cannot be held responsible and as such no interest is admissible to be paid to the applicant.

This application is disposed of without any order as to cost.

Sk.

(SAYEED AHMED BABA)
Officiating Chairperson and Member (A).

WEST BENGAL ADMINISTRATIVE TRIBUNAL