

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-761 of 2019

Niranjan Pain. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	:	Mrs. S. Agarwal, Advocate.
<u>09</u> 14.06.2022.	For the State Respondents	:	Mr. A. K. Das Sinha, Advocate.
	For the Principal Accountant General (A&E), West Bengal.	:	Mr. B. Mitra, Departmental Representative.

In this application, Niranjan Pain – the applicant joined as a Constable on 17.01.2007 and retired on 31.08.2016. Thus, having a qualifying service of 09 years 07 months and 14 days. This has a shortfall 04 months 16 days. The applicant has prayed for disbursement of pension and other retiral benefits after relaxation of the shortfall in the service.

Learned advocate for the State and the Departmental Representative for the Principal Accountant General (A&E), West Bengal clarified the existing rules and regulations regarding qualifying service as well as condonation through discretionary powers if there is any shortfall in the qualifying service.

In this case, the applicant has a shortfall of 04 months and 16 days to be eligible to receive pension and other retiral benefits.

Learned advocate on behalf of the applicant has prayed that a representation will be submitted to the concerned authorities for exercising the discretion under existing rules to condone the delay of 04 months and 16 days.

Learned advocate for the State submits that if such an application is made, the respondents will consider and dispose of as per law.

The prayer of the applicant is allowed. Let the applicant submit such a representation before the suitable authorities for condonation of the shortfall within four weeks from the date of this order. Let the Superintendent of Police, Paschim Medinipur – the respondent no. 6 is directed that when such a representation is presented and received from the applicant, he shall submit the proposal of the condonation with his remarks to the higher authorities within a period of four weeks.

The matter stands disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.