

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 777 of 2021

CHAITALI CHANDRA - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and Date of order For the Applicant : Mr. D.Karan
Advocate

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08.05.2023 For the State respondents : Mr.Gourav Haldar
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.

The prayer in this application is for a direction to the respondent authorities to re-fix the pay scale of the applicant after setting aside the impugned order dated 07.06.2018. The prayer also includes a direction for refund of the alleged overdrawn of Rs. 97,480/- . It appears from page 66 of the application that the office of the Principal Accountant General (A&E) West Bengal wrote to Block Medical Officer of Health, Jagadishpur Block Primary Health Centre, Bally on 07.06.2018 in which certain clarifications were asked for.

Mr.D.Karan, learned counsel for the applicant submits that on the basis of the Principal Accountant General's letter dated 07.06.2018, the respondent authority has already recovered Rs. 97,480/-. However, after such recovery and re-fixation, the pension proposal has not been resubmitted to the office of the Principal Accountant General (A&E) West Bengal against the letter dated 19.01.2022. Since such revised pension proposal has not been submitted to the Principal Accountant

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General (A&E) West Bengal, the applicant has been deprived of his revised pensionary benefits, if any.

After hearing the submissions of the learned counsels, the respondent No. 2 (iv), the Block Medical Officer of Health, Jagadishpur Block Primary Health Centre, Bally, is directed to resubmit the revised pension proposal of the applicant with regard to the Principal Accountant General's letter dated 19.01.2022 within a period of eight weeks from the date of communication of this order.

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

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