

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 780 OF 2022

SAKTIPADA GIRI - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

For the Applicant : Mr.Sourav Bhattacharjee
Advocate

09

13.11.2024

For the State Respondents : Mr.Asok Kumar Das Sinha
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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to release him his retiral benefits including Pension for his service since 14.10.1998 till 04.11.2002 as Group-D staff. According to the applicant, he was suffering from a disease called "Hemiplegia", a form of paralysis since 05.11.2002 till 19.12.2020. Due to such illness, he was not in a position to attend his duties. He had filed representations before the respondent authorities praying for Pension. In support of his contention that he was suffering from serious ailments, Mr.Bhattacharjee, learned counsel draws attention to a copy of prescription signed by one Dr. A.K.Samanta, H.M.O.Bibhisonpur G.P., Purba Medinipur. The Doctor in his prescription defines the illness of the applicant as Hemiplegia and under his treatment from 05.11.2002 to 19.12.2020.

Mr.Das Sinha, learned counsel relying on the reply filed by the State respondents is clear that the applicant has presented a false prescription of himself being ill. He is doubtful whether the medical

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certificate certified by the Homoeopathy Doctor for a treatment of a serious illness called Hemiplegia is worthy of any examination. Mr.Das Sinha also points out that the applicant was issued a show cause notice by the Executive Engineer on 08.01.2003. The applicant neither replied to such show cause notice nor attended his duties. Mr.Bhattacharjee, however, insists that the applicant was not in healthy condition to attend the Office and wishes to file proper medical documents in support of his applicant's contention.

Let the matter appear under the heading 'Hearing' on 24th April, 2025.

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

BLR