

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 831 of 2022.

ATANU CHAKRABORTY- VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

05
14.08.2024

For the Applicant : Mr. A.K. Das Sinha,
Advocate.
For the State Respondent : Mr. S. Ghosh,
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.

The applicant has prayed for a direction to the Respondent authorities to release an interest at the bank rate on the amount of arrear salary disbursed to him. From the submissions and the records, it appears that this Tribunal in OA 622 of 2016 had directed the Respondents to release the withheld salaries of the applicant for the months August, September and October, 2015. By this order of the Tribunal passed on 10.3.2022, the arrear salaries for the period August, September and October, 2015 was released to him on 17.02.2022. Mr. Das Sinha argues that such an interest is due upon the applicant for the delay in releasing arrear salaries after more than seven years in absence of any departmental proceedings against the applicant.

In response, Mr. Ghosh submits the issue relating to interest has already been decided by this Tribunal while hearing the matter in OA 622 of 2016. The Tribunal had heard the matter and there was no order directing the Respondents to pay the withheld salaries along with interest.

Having heard the submissions of the learned counsels, the Tribunal is not satisfied that any interest is due to be paid to the applicant. It is very clear from the records that the main issue relating to his unauthorised absence and withholding of his salaries for the months of August, September and October, 2015 was heard by this Tribunal in the earlier application but no direction was passed regarding payment of interest to the applicant. The Tribunal does not agree with the applicant's side that any interest is liable to be paid by the Respondent's side for the late release of his

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salary. It is not disputed that such withheld salary was paid to the applicant within a week from the date of direction of this Tribunal. Hence, finding no reason, this application is disposed of without passing any order.

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

HS/Skg.

WEST BENGAL ADMINISTRATIVE TRIBUNAL