

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

& The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-778 Of 2019.

Chitta Ranjan Roy. - VERSUS – The State of West Bengal and Others.

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|---------------------------------|--|---|
| Serial No. and<br>Date of order | For the Applicant  | : Mr. S. Ghosh,<br>Advocate.                    |
| <u>9</u><br>24.09.2021.         | For the State Respondents                                    | : Mr. S. K. Chakraborty,<br>Advocate.           |
|                                 | For the Principal Accountant<br>General(A & E), West Bengal. | : Mr. B. Mitra,<br>Departmental Representative. |

Though the matter has appeared under the heading “To Be Mentioned”, Mr. S. Ghosh, learned advocate for the applicant submits that the matter may be taken up for hearing to which Mr. S. K. Chakraborty, learned advocate for the applicant State respondent does not oppose.

In this application, Chitta Ranjan Roy, the applicant, has prayed for several reliefs, the relevant portion of which is as under :-

*“(a)... An order do issue directing the respondent authorities to forthwith grant pension and arrear pension after condoning the shortfall in qualifying service taking into account the past service rendered by him under respondent no. 4 as “National Volunteer Force” from 11.06.1984 to 17.01.2007, within a stipulated time period.*

*(b) An order do issue directing the respondent authorities to dispose and pass a reason and speaking order pertaining to the representation dated 18.06.2018 in accordance with law after giving an opportunity of hearing to the applicant.*

*(c) An order do issue directing the respondent authorities to forthwith*

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*grant pension and arrear pension and other consequential benefits arising thereto @ 18% p.a. till the actual date of realization of the same. .... ”.*

It appears prior to joining the West Bengal Police as constable the applicant served as National Volunteer Force from 11<sup>th</sup> June, 1984 to 17<sup>th</sup> January, 2007. After being selected, the applicant joined the post of constable on 18<sup>th</sup> January, 2007 and had superannuated on 28<sup>th</sup> February, 2015 after eight years one month ten days of service. Though the applicant has received gratuity and lump sum leave salary, however pension has not been granted for non-completion of the statutory period for grant of pension. Submission is as the service rendered as constable was in continuation of his service in the National Volunteer Force, the respondents may be directed to take the entire period of service from 11<sup>th</sup> June, 1984 till 28<sup>th</sup> February, 2015 as one unit. Accordingly, he is entitled to pension in accordance with law. In support of his submission, Mr. Ghosh has relied on the judgement passed on 23<sup>rd</sup> July, 2014 in W.P.S.T. 379 of 2013: Anantalal Mahata-versus-State of West Bengal and Others. It is submitted since representation dated 18<sup>th</sup> June, 2018, appearing at page-29 of the application has been filed, appropriate order may be passed for consideration of the same.

Mr. Chakraborty submits, if directed, the respondent authorities will consider the said representation is accordance with law.

Mr. B. Mitra, the departmental representative for the Principal Accountant General (A&E), West Bengal adopts the submission of Mr. Chakraborty.

Having heard the learned advocates for the parties and

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considering the facts and circumstances of the case, the application is disposed of by directing the Principal Secretary, now redesignated as Additional Chief Secretary, Home and Hill Affairs Department, Government of West Bengal, - the respondent no. 1, to dispose of the representation dated 18<sup>th</sup> June, 2018, appearing at page-29 of the application, by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal after giving an opportunity of hearing, after verifying the records and after considering the law laid down in Anantalal Mahata (supra).

(SAYEED AHMED BABA)  
MEMBER (A)

(SOUMITRA PAL)  
CHAIRMAN

S.M.