

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Mrs. Urmita Datta (Sen), Member (J)

The Hon'ble Dr. Subesh Kumar Das, Member (A)

Case No – **MA 64 of 2020 [OA 839 OF 2019]****Biswajit Mitra vs The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
03 02.12.2020	<p>For the Applicant : Mr. M. Karim, Learned Advocate.</p> <p>For the Respondent : Mr. M. N. Roy, Learned Advocate.</p> <p>During the course of the hearing, Counsels for both the parties have submitted that during the pendency of the instant application, the applicant retired on 31.12.2019. The Counsel for the applicant has further drawn our attention to the order dated 23.12.2019, whereby the respondents were directed to allow the applicant to join the duty and to file reply in the meantime. Though the applicant has communicated the said order dated 23.12.2019 without any certified copy, however, subsequently the said order has been downloaded from the Website and communicated the same on 06.01.2020. In the meantime, the applicant retired on 31.12.2019. Therefore, the Counsel for the applicant has further submitted the original application has basically become infructuous as the respondents have taken initiative to regularize the leave of absence. Therefore, he may be paid pensionary benefits as per rules.</p> <p>The Counsel for the respondent has no objection to such proposition.</p> <p>Accordingly, the respondents may release the pensionary benefits as per rules and law within a period of 6 (six) months from the date of receipt of this order.</p> <p>The Original Application and Miscellaneous Application are, thus, disposed of.</p>	
SS	<b>SUBESH KUMAR DAS</b> MEMBER(A)	<b>URMITA DATTA (SEN)</b> MEMBER (J)

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Form No.

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