

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Mrs. Urmita Datta (Sen)
&
The Hon'ble Dr. A. K. Chanda

Case No. **OA – 134 of 2018**

Dr. Ajoy Mukherjee

Versus

The State of West Bengal & Others.

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
<u>01</u> 09/04/2018	<p><i>For the Applicant</i> : <i>Mr. Dipak Kumar Pal,</i> <i>Mr. Adhir Kumar Das,</i> <i>Advocates.</i></p> <p><i>For the State Respondents</i> : <i>Mr. Sankha Ghosh,</i> <i>Advocate.</i></p> <p style="text-align: center;"><i>The instant application has been filed praying for following reliefs:</i></p> <p style="text-align: center;"><i>“(a) For an order directing the respondents – authorities to pay salary, pension, gratuity, Group Insurance Savings Fund etc. with interest to the applicant forthwith as the applicant has retired from service on 31st March, 2009 and since then he has been suffering a great financial loss only due to the latches and negligence on the part of the respondents – authorities;</i></p> <p style="text-align: center;"><i>(b) For an order directing the respondents for interim payment of salary, pension,</i></p>	

ORDER SHEET – (Continuation)

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	<p><i>gratuity and Group Insurance Savings Fund etc. with interest forthwith during the pendency of this matter before this Hon'ble Tribunal.</i></p> <p><i>(c) For costs and incidentals</i></p> <p><i>(d) For any other relief / reliefs as the Hon'ble Tribunal may deem fit and proper for the ends of justice."</i></p> <p><i>However, the Counsel for the respondents has taken preliminary objection on the ground of plural remedies as the applicant has prayed for both the salaries as well as the pension in a single petition. Secondly, the applicant retired in the year 2009, but, he is claiming salary for the period from 1989 to 2009 i.e. after 9 years. Therefore, the application is barred by limitation.</i></p> <p><i>However, the Counsel for the applicant has fairly submitted that he wants to withdraw this application with liberty to file a fresh appropriate application.</i></p> <p><i>In view of the above, the OA is disposed of as withdrawn.</i></p>	

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<i>Rajat</i>	<p><i>Urgent certified copy.</i></p> <p>Dr. A. K. CHANDA MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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