

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Mrs. Urmita Datta (Sen), Member(J)****The Hon'ble Mr. P. Ramesh Kumar, Member(A)****Case No – OA- 488 of 2019.****Niharkanti Bhattacharya. Vs 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
<p>05</p> <hr/> <p>11/12/2019</p>	<p>For the Applicant : Mrs. S. Mitra, Ld. Advocate.</p> <p>For the State Respondents: Mr. D. Koley, Ld. Advocate.</p> <p>The instant application has been filed challenging the show-cause notice dated 11.03.2019. As per the applicant, he retired on 31.12.2018. However, he has been served with a show-cause notice on 11.03.19 with an allegation of transfer of some teachers as the Chairman of Murshidabad District Primary School Council during the period 01.06.18 to 31.12.2018. In reply to the said show-cause he has already submitted the reply dated 29.03.19. As per the applicant, though till date no charge sheet has been issued against him, he has not been paid with any of the retiral benefit except the gratuity amount and commuted value of pension. Therefore, he has prayed that as no proceeding has been initiated against him nor any criminal case is pending, the respondents should be directed to disburse all pensionary benefit including pension.</p> <p>The counsel for the respondent has</p>	

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GM	<p>submitted that the respondents are in process to issue charge sheet. However, till date no charge sheet has been issued as the Governor permission is required for the retired government employee.</p> <p>In view of the above, as an interim measure respondents are directed to disburse the admissible pensionary benefit including the pension as per rules within a period of four weeks. The respondents are directed to file reply within four weeks and rejoinder, if any, within two weeks. Let the matter be listed on 07.02.2020 under the same heading.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA(SEN) MEMBER(J)</p>	