

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

**Hon'ble Justice Soumitra Pal, Hon'ble Chairman.**  
**& Hon'ble Dr. Subesh Kumar Das, Administrative Member.**

CASE No. OA 1021 of 2018.

DR. RAGHUNATH CHATTOPADHYAY -Vs- THE STATE OF W.B. & 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
<p style="text-align: center;">2</p> <hr/> <p>2.4.2019.</p>	<p>For the Applicant : Mr. S. Das, Advocate.</p> <p>For the State Respondent : None.</p> <p>For the Principal Accountant General (A &amp; E), W.B. : Mr. B. Mitra, Departmental representative.</p> <p style="text-align: center;">Affidavit of service filed today be kept on record.</p> <p style="text-align: center;">In this application, the applicant, who was first appointed as Veterinary Assistant Surgeon on 3<sup>rd</sup> August, 1965 and worked till January, 1966 and subsequently elevated to the post of Supervisor, Veterinary Services and continued to work till December, 1968 and thereafter joined as Superintendent of Livestock on 15<sup>th</sup> July, 1971 and continued till 29<sup>th</sup> November, 1977 and thereafter resigned for taking assignment in National Dairy Development Board, has prayed for a direction upon the respondents to disburse the retirement benefits, that is pension, gratuity, leave salary and other incremental benefits with interest. It appears that after resigning from the post of Superintendent of Livestock, he was released by Government order dated 29<sup>th</sup></p>	

**ORDER SHEET**

DR. RAGHUNATH CHATTOPADHYAY.

Form No. ....

**Vs.**Case No. **OA 1021 of 2018.**

THE STATE OF WEST BENGAL &amp; 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
	<p>November, 1977.</p> <p>Mr. S. Das, learned advocate appearing on behalf of the applicant submits that as his client had worked for twelve years, three months and 25 days under the State of West Bengal, he is entitled to pension and other superannuation benefits.</p> <p>Mr. B. Mitra, the departmental representative appearing on behalf of the Accountant General of West Bengal (A &amp; E), West Bengal – the respondent no. 5, referring to the intimation dated 3<sup>rd</sup> May, 2017, being annexure E to the original application, submits as it is evident that the applicant had resigned from the post of Superintendent of Livestock under Project Office for WFP 618 and had joined National Dairy Development Board, he is not entitled to get superannuation benefits. Moreover, referring to the notification dated 29<sup>th</sup> November, 1977, particularly paragraph 2 thereof, appearing at page 52 of the original application, it is submitted that the applicant has not been able to show whether the applicant had made pension contribution personally. Therefore, he is not entitled to the reliefs as prayed for.</p>	

**ORDER SHEET**DR. RAGHUNATH CHATTOPADHYAY.  
.....

Form No.

**Vs.**Case No. **OA 1021 of 2018.**  
.....

THE STATE OF WEST BENGAL &amp; 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
Skg.	<p>Heard learned advocate for the parties.</p> <p>It is evident from the intimation dated 3<sup>rd</sup> May, 2017 that the applicant after having “resigned from the post of Superintendent of Livestock” had joined National Dairy Development Board. Since he had “resigned”, in our view, he is not entitled to the superannuation benefits. That apart, applicant has been unable to show whether he had made contribution towards pension fund personally as stipulated in the notification dated 29<sup>th</sup> November, 1977.</p> <p>Therefore, in view of the above, there is no merit in this application. The application is dismissed.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

**ORDER SHEET**DR. RAGHUNATH CHATTOPADHYAY.  
.....

Form No.

**Vs.**Case No. **OA 1021 of 2018.**  
.....

THE STATE OF WEST BENGAL &amp; 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
---------------------------------------	---	--