

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

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – OA 318 OF 2020

ASOKE BHAKAT 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
2 <hr/> 07.12.2020	<p>For the Applicant : Miss Anita Saw, Advocate</p> <p>For the Respondents: None</p> <p>For the A.G., W.B. : Mr. B. Mitra, Departmental Representative</p> <p>Let affidavit of service filed today be kept on record.</p> <p>Since despite service of notice, none appears on behalf of the State respondents, Mr. G.P. Banerjee, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. The Legal Remembrancer, West Bengal is directed to regularise his appointment. Let a copy of the Original Application be served on Mr. Banerjee, which is served and accepted. Mr. B. Mitra, departmental representative appears on behalf of the Principal Accountant General, West Bengal.</p> <p>In the application, Asoke Bhakat, the applicant has prayed for a direction upon the respondents to grant pension after condoning the deficiency of service of 35 days upon reaching 10 years of service, as mentioned in Rule 36 of the Death-cum-Retirement Benefits Rules,</p>	

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	<p>1971.</p> <p>It appears that the applicant was appointed on 5th April, 2010 and joined the post of Work Assistant and had superannuated on 29th February, 2020. It is submitted by Mrs. Anita Saw, learned advocate for the applicant that since the shortfall for condoning the deficiency of service for grant of pension is only 35 days appropriate order may be passed. Submission is though a representation was furnished before the Principal Accountant General (A&E), West Bengal, as no action has been taken, the Original Application has been filed.</p> <p>Mr. Banerjee submits that if a comprehensive application is filed before the appropriate forum, it will be considered.</p> <p>Mr. Mitra, the departmental representative for the Principal Accountant General, West Bengal, the respondent no.5 adopts submission of Mr. Banerjee.</p> <p>Having heard learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to applicant to file a representation ventilating his grievances before the Principal Secretary, Public Works Department, Government of West Bengal, Howrah, the respondent no.1, within four weeks from the date of presentation of a copy of this order. If representation is filed within the time as stipulated, the said respondent no.1 shall dispose of the same by passing a reasoned order to be</p>	

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SCN.	<p>communicated to the parties within ten weeks after giving an opportunity of hearing and after verifying the records.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	