

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J)  
The Hon'ble P. Ramesh Kumar, Member (A).

OA-399 of 2019

**Somnath Das** 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
<p><u>06</u> 20.12.2019</p>	<p>For the petitioner : Mr. S. Roy Chowdhury, Learned Advocate.</p> <p>For the respondent : Mr. G.P. Banerjee, Mr. S. Ghosh, Learned Advocates.</p> <p>For the A.G.W.B. : Mr. B. Mitra.</p> <p>The instant application has been filed praying for following :-</p> <p>a) A direction do issue upon the concerned respondent authorities to forthwith cause correct revision of the PPO dated 23.01.2019 and disburse pension and gratuity of the applicant with effect from 01.02.2013 being his attainment of age of superannuation with all consequential benefits after setting aside the departmental proceeding dated 05.08.2011. Annexure-A herein and to command them to act strictly in accordance with law;</p> <p>b) A direction do issue upon the concerned</p>	

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<p style="text-align: center;">06 20.12.2019</p>	<p>respondent authorities to forthwith produce and/or cause to be produced entire records relating to the applicant's case and on such production being made, render conscionable justice upon persuing the same;</p> <p>c) And/or pass such other or further order or orders as to this Hon'ble Tribunal may deem fit and proper.</p> <p>During the course of hearing, the counsel for the applicant has submitted that the applicant has already received pension as per department authorities order, however, during the pendency of this application he has prayed for disbursement of admissible gratuity.</p> <p>However, the counsel for the respondent has submitted that some amount on account of House Building Advance of Rs. 26,000/- and Marriage &amp; Illness Advance of Rupees. 5,000/- as well as interest thereof has to be deducted from the gratuity as per rules.</p>	

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<p style="text-align: center;">06 ----- 20.12.2019</p> <p>sc</p>	<p style="text-align: center;">We have heard the parties and perused the records.</p> <p style="text-align: center;">In view of the above, respondent authorities are directed to file reply by four weeks, rejoinder, if any, by two weeks thereafter.</p> <p style="text-align: center;">In the interim, the respondent authorities are directed to disburse the admissible gratuity amount after deducting the admissible dues as per rules within a period of six weeks from the date of receipt of this order. Let the matter be listed on <b>13.03.2020</b> for filing of reply/rejoinder and further order.</p> <p style="text-align: center;"><b>P. RAMESH KUMAR</b> <b>MEMBER (A)</b></p> <p style="text-align: center;"><b>URMITA DATTA (SEN)</b> <b>MEMBER (J)</b></p>	

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