

**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 -426 of 2019

Kush Kumar Paul 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 style="text-align: center;"><u>03</u> 08.07.2019</p>	<p>For the petitioner : Mr. S.Mondal,, Learned Advocate.</p> <p>For the respondent : Mr. S. Ghosh, Learned Advocate.</p> <p>For the A.G.W.B. : Mr. B. Mitra.</p> <p style="text-align: center;">Affidavit of service has been filed. Let it be kept with the record.</p> <p style="text-align: center;">The instant application has been filed praying for disbursement of retiral benefits. However, the counsel for the applicant has submitted that though there is a departmental proceeding the authority i.e. Director of Health Services, West Bengal vide his memo dated 23.05.2017 had directed the Superintendent, S.D. Hospital, Bongaon to take necessary action with regard to the payment of provisional pension but till date provisional pension has not been disbursed to the applicant. Being aggrieved, the applicant has filed the instant application.</p> <p style="text-align: center;">The Departmental Representative of A.G.W.B.</p>	

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<p style="text-align: center;">03 08.07.2019</p>	<p>has placed one communication dated 16.04.2019 and has submitted that unless the department give any instruction to make payment any retiral dues, they cannot make such payment, however, with regard to provisional pension, they have no authority and that has to be done by the department itself.</p> <p style="text-align: center;">In view of the above, respondents are directed to file reply by four weeks. Rejoinder, if any, may be filed by two weeks thereafter. In the meantime authority is also directed to take appropriate steps for making payment of provisional pension as per rules. Matter will appear on <b>06.09.2019</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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