

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

The Hon'ble Urmita Datta (Sen) Member (J) & OA-726 OF 2018
 The Hon'ble Mr. P. Ramesh Kumar, Member (A)

Goutam Kumar Mondal

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 |
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| <p style="text-align: center;"><u>04</u> 11.01.2019</p> | <p>For the applicant : Mr. A.K. Ghosh, Learned Advocate.</p> <p>For the respondent : Mr. G.P. Banerjee, Learned Advocate.</p> <p style="text-align: center;">The instant application has been filed mainly challenging the impugned punishment order dated 17.04.2018, whereby he has been punished with the 10 % pension cut for five years. As per the applicant, against 10 % pension cut, he filed an appeal before the appellate authority. However, appellate authority without assigning any reason rejected his appeal, which is cryptic in nature. Moreover, as per the applicant, after the superannuation on 28.02.2017, all the admissible retiral benefits have been withheld by the respondent authority even P.F. & gratuity and Leave encashment also. Therefore, as per the counsel for the applicant, since the punishment order is only 10 % pension cut for five years, he is entitled to get other retiral benefits from his date of superannuation. Therefore, he has prayed interim protection from the respondent to provide him admissible retiral benefits immediately.</p> | |

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| <p style="text-align: center;">04 11.01.2019</p> <p style="text-align: center;">sc</p> | <p style="text-align: center;">The counsel for the respondents has prayed for time to file reply.</p> <p style="text-align: center;">Heard the counsel for the applicant and perused the record. As balance of convenience is in favour of the applicant, we direct the respondent authorities to disburse balance 90 % pension, P.F., gratuity, Leave encashment, Group Insurance etc immediately within a period of three weeks from the date of receipt of this order and also direct the respondent to file reply by four weeks and rejoinder, if any, may be filed by two weeks thereafter. The matter will appear on 12.03.2019 for further order.</p> <p style="text-align: center;">P. RAMESH KUMAR MEMBER (A)</p> <p style="text-align: center;">URMITA DATTA (SEN) MEMBER (J)</p> | |

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| 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 |
|---|---|--|
| Page /2 <u>10</u> 14.09.2018 | | |

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Form No.

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| 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>Page /3</p> <p>10</p> <hr/> <p>14.09.2018</p> | | |

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Form No.

Goutam Kumar Mondal

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The State of West Bengal & OrsCase No. **OA-726 OF 2018**

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| P/4 10 ----- 14.09.2018 | | |

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| P/5 10 <hr/> 14.09.2018 | | |

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