

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

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

The Hon'ble Mr. P. Ramesh Kumar, Member(A)

Case No – OA- 752 of 2019.Pradip Kumar Chakraborty. Vs The State of West Bengal & Others.

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>02</p> <hr/> <p>01/10/2019</p>	<p>For the Applicant : Mr. M.N. Roy, Mr. G. Halder, Ld. Advocates.</p> <p>For the State Respondents: Mr. G.P. Banerjee, Ld. Advocate.</p> <p><i>The instant application has been filed praying for following relief;</i></p> <p><i>“(a) An order do issue directing the District Magistrate, Coochbehaer being the Disciplinary Authority of the applicant herein to record the final order in terms of Order No.637-DP/O/1C-4/2017 dated 25th April, 2018 passed by the Secretary, Department of Planning, Statistics & Programme Monitoring, Government of West Bengal, after giving an opportunity of hearing, within a stipulated period of time.</i></p> <p><i>(b) An order do issue directing the District Magistrate, Coochbehar being the Disciplinary Authority of the applicant herein to record the final order in terms of Order No.637-DP/O/1C-4/2017 dated 25th April, 2018 passed by the Secretary, Department of Planning, Statistics &</i></p>	

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	<p><i>Programme Monitoring, Government of West Bengal and after recording the final order disburse the arrear pension, pension and other retiral benefits (GPF, Gratuity, leave salary, GIS) in accordance with all within a stipulated time period as these benefits are consequential to the earlier prayer as prayed for in prayer (a).</i></p> <p><i>(c) An order do issue directing the concerned respondent authorities to forthwith disburse arrear pension, and other retiral benefits (GPF, Gratuity, leave salary, GIS) to your applicant with retrospective effect to your applicant i.e. from 31.01.2014 (the date of retirement), along with an interest thereto @ 18% p.a. till the actual date of realization of the same.</i></p> <p><i>(d) An order do issue directing the respondent authorities to transmit the records/documents pertaining to this instant case so that conscionable justice may be rendered.</i></p> <p><i>(e) Any other appropriate order/orders direction/directions as this Hon'ble Tribunal may deem fit and proper to</i></p>	

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GM	<p><i>protect the right of the applicant and in the ends of justice.”</i></p> <p><i>As per the applicant the order of the Disciplinary Authority was turned down by the appellate authority vide his order dated 25.04.2018 with a direction to the District Magistrate, Coochbehar to reconsider the case of the applicant after setting aside the order of dismissal and to pass appropriate order. However, according to the applicant till date no such order has been served though more than one year has lapsed.</i></p> <p><i>However, the counsel for the respondent has submitted that some time may be granted to the District Magistrate, Coochbehar to pass the order as per direction of the appellate authority order dated 15.04.18. Accordingly, the District Magistrate, Coochbehar is directed to pass the final order as per the direction of the appellate authority dated 15.04.2018 within a period of eight weeks from the date of receipt of this order and to disburse all the admissible retiral benefits. Accordingly, the OA is disposed of.</i></p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	