

**ORDER SHEET**  
**West Bengal Administrative Tribunal**

Present.-  
The Hon'ble Justice Ranjit Kumar Bag  
&  
The Hon'ble Dr. Subesh Kumar Das

**Case No. OA - 810 of 2016**

Sekhar Chandra Ghosh

Versus

The State of West Bengal & Ors.

Serial No. and  
date of order

Order of the Tribunal  
with signature

Office action with date  
and dated signature of  
parties when necessary.

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10/04/2019

**For the Applicant** : Mr. A.B. Mukherjee,  
Ld. Advocate.

**For the State Respondent** : Mr. D. Koley,  
Ld. Advocate.

**For the A.G., W.B.** : Mr. B. Mitra,  
Depttl. Representative.

The applicant has prayed for direction upon the respondents for grant of pensionary benefits on condonation of shortfall in qualifying service for grant of pension.

It appears from the materials on record that the applicant was appointed in the post of Constable of Police on March 01, 2006 and retired from service on January 31, 2015 and thereby he served for a period of 8 years, 10 months and 30 days. Learned Counsel for the applicant submits that the applicant rendered temporary service as member of National Volunteer Force (N.V.F.) before joining in the post of Constable of Police. Nothing is on record to indicate that the applicant rendered temporary service continuously before his appointment in the post of Constable of Police and thereby we do not find any merit in the submission that the past service rendered by the

**ORDER SHEET – (Continuation)**

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Csm	<p>applicant as member of N.V.F. should be counted for computation of qualifying service for grant of pension. Since the shortfall in qualifying service for grant of pension is more than six months, we cannot persuade ourselves to direct the State Government for condonation of deficiency in qualifying service for grant of pension in terms of Rule 36 of West Bengal Services (death-cum-retirement benefit) Rules, 1971. As a result, the original application is <b>dismissed</b>.</p> <p style="text-align: center;"><b>S. K. DAS</b> <b>MEMBER(A)</b></p> <p style="text-align: center;"><b>R. K. BAG</b> <b>MEMBER(J)</b></p>	