

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Mrs. Urmita Datta (Sen)
&
The Hon'ble Dr. A. K. Chanda

Case No. **OA – 691 of 2017**

Ashoke Kumar Das

Versus

The State of West Bengal & Others.

Serial No. and
date of order

Order of the Tribunal
with signature

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

1

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3

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08/03/2018

For the Applicant : *Mrs. Ajeya Mitra,*
Advocate.

For the State Respondents : *Mr. Goutam Pathak Banerjee,*
Advocate.

The instant application has been filed basically praying for release of interim allowance in terms of the Rule 14 of the DCRB, 1971 with effect from his date of retirement i.e. 31.10.2013.

According to the Counsel for the applicant, the applicant was convicted on some criminal proceedings by the Learned Judge, 3rd Special Court, Kolkata and subsequently, dismissed from service. Thereafter, he had preferred an appeal before the Hon'ble High Court. Vide order dated 23.11.2000, the punishment order of the Learned Judge, 3rd Special Court, Kolkata dated 26.09.2000 was stayed by the Hon'ble High Court. Thereafter, vide order dated 12.01.2004 (annexure A-3), his dismissal order was cancelled and he was retained on suspension till his date of retirement. Again, after his retirement, proposal for interim allowance was considered by the authority.

ORDER SHEET – (Continuation)

Form No.

Ashoke Kumar Das
.....

Vs

The State of West Bengal & Others.
.....Case No. **OA – 691 of 2017**

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><i>However, vide letter dated 22.07.2015 (Annexure A-10), some communication was made between the Employment Officer & DDO, District Employment Exchange, Rampurhat and the Director, the Directorate of Employment, West Bengal. But, thereafter, no further action has been taken by the respondent authorities. Since, nothing has been done, he has made representation dated 13.05.2016 (annexure A-12) to the Employment Officer-in-Charge, D.E.E, Rampurhat, but, with no effect. Being aggrieved, the applicant has filed the instant application praying for above mentioned relief.</i></p> <p><i>During the course of the hearing, the Counsel for the applicant has submitted that it would suffice the purpose of the applicant if his application for interim allowance would be disposed of with a direction to the respondent no. 2 i.e. the Director of Employment Service, West Bengal by a reasoned and speaking order within a stipulated period of time, since, his case is under consideration before them for a long time.</i></p> <p><i>The Counsel for the respondent has no objection to the said proposition.</i></p> <p><i>In view of the above, we direct the</i></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
<i>Rajat</i>	<p><i>respondent no. 2, the Director of Employment Service, West Bengal to take a decision with regard to the entitlement of the interim allowance as per rules within a period of six weeks from the date of receipt of this order and to communicate the decision to the applicant within two weeks thereafter.</i></p> <p><i>We make it clear that we have not observed anything on the merit of the case.</i></p> <p><i>The matter is dispose of with the above observation and direction.</i></p> <p><i>Plain copy.</i></p> <p>Dr. A. K. CHANDA MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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1	2	3