

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

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das**

Case No – OA - 1112 of 2014

Md. Wazed Ali 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
<p>14 13.09.2018</p>	<p>For the Applicant : Mr. N. Chatterjee, Learned Advocate.</p> <p>For the State Respondents : Mr. S. Bhattacharyya, Departmental Representative.</p> <p>The applicant has prayed for direction upon the respondents to grant him pension in terms of West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971 (in short, "DCRB Rules, 1971").</p> <p>It appears from the materials on record that the applicant joined in the post of Night Guard in the establishment of District Land and Land Reforms Officer, North 24 Parganas at Barasat on the basis of order dated May 6, 2002 issued by the Respondent No. 3. The applicant retired from service on November 30, 2011. The applicant rendered service as Government employee for 9 years 6 months and 24 days. The applicant is entitled to get pension after completion of ten years of qualifying service as per provisions of Rule 67 of the DCRB Rules, 1971. The short fall in qualifying service for pension in this case can be condoned by the Government of West Bengal by invoking the provisions of Rule 36 of the DCRB Rules, 1971.</p> <p>Having heard Learned Counsel representing the applicant and the Departmental Representative of the State respondents, we are of the view that the Respondent No. 1, Principal Secretary to the Government of West Bengal, Department of Land and Land</p>	

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Rajib	<p>Reforms should sympathetically consider for condonation of deficiency in qualifying service of less than six months for grant of pension of the applicant as per provisions of Rule 36 of the DCRB Rules, 1971. Accordingly, Respondent No. 1, Principal Secretary to the Government of West Bengal, Department of Land and Land Reforms is directed to consider condonation of deficiency in the service of the applicant for grant of pension by invoking the provisions of Rule 36 of DCRB Rules, 1971 within a period of twelve weeks from the date of communication of the order and communicate the same to the applicant within a period of two weeks thereafter.</p> <p>With the above direction, the original application is disposed of.</p> <p>Let a plain copy of the order be supplied to both the parties.</p> <p style="text-align: center;">(Dr. S.K. Das) Member (A)</p> <p style="text-align: center;">(R.K. Bag) Member (J)</p>	

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