WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No -OA 1428 OF 2013

Sailendra Nath Paul \underline{Vs} The State of West Bengal & Ors.

Serial No. and	Order of the Tribunal with signature	Office action with date
Date of order.	2	and dated signature
1	_	of parties when necessary
	For the Applicant : Mr. N.N. Roy	3
17	Learned Advocate.	
06.09.2018	For the State Respondents : None.	
	The Vakalatnama filed by the applicant is kept on record.	
	None appears on behalf of the Respondents.	
	The applicant has prayed for direction upon the respondents to	
	grant interest on arrears of salary paid to the applicant.	
	The applicant was implicated in a criminal case being	
	Mathabhanga PS Case No. 14 dated February 14, 1997 under	
	Section 420/468/471 of Indian Penal Code, while the applicant was	
	working as Upper Division Clerk in the office of Sub-Divisional	
	Officer, Mathabhanga in the district of Coochbehar. The applicant	
	was suspended for detention in custody exceeding forty eight	
	hours. The order of suspension was challenged by the applicant	
	before this Tribunal by filing OA No. 1186 of 2005 which was	
	disposed of on November 7, 2006, whereby the order of	
	suspension was revoked and the applicant was reinstated in	
	service. The applicant again approached the Tribunal by filing OA	
	No. 8034 of 2008 which was disposed of on February 16, 2010,	
	whereby the Tribunal directed the concerned respondent for re-	
	examination of fixation of pay of the applicant and to refix the	
	same, if necessary, within specific period of time. The applicant	
	was acquitted of the charge by the Criminal Court by delivery of	
	judgment dated February 8, 2012. No document is forthcoming	

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	before the Tribunal how and when	the judgment passed by the	
	Criminal Court was communicated t	to the Sub-Divisional Officer,	
	Mathabhanga, who refixed the pay o	of the applicant by order no.	
	327 dated June 1, 2012. On the	basis of the said order, the	
	Respondent No. 4, Sub-Divisional Offi	cer, Mathabhanga sanctioned	
	a sum of Rs.1,88,579/- on Augus	t 13, 2012 and a sum of	
	Rs.4,38,176/- on October 9, 2012. No	othing is on record to indicate	
	when the said amount of money v	vas actually received by the	
	applicant.		
	Under the above factual matrix	, Learned Counsel for the	
	applicant contends that the pay of	the applicant needs to be	
	refixed by the Respondent No. 3. We	e do not find any relevance of	
	the submission made by the Learned	Counsel for the applicant. In	
	view of the fact that the applicant w	as acquitted of the charge by	
	the Criminal Court on February 8, 201	2 and the order for fixation of	
	pay of the applicant was passed by the	he Respondent No. 4 on June	
	1, 2012 and sanction order for payme	ent of arrears of salary of the	
	applicant to the tune of Rs.6,26	,755/- was passed by the	
	Respondent No. 4 on August 13, 2012	2 and on October 9, 2012, we	
	are constrained to hold that there is r	o delay in payment of arrears	
	of salary for which the applicant is ent	titled to get interest.	
	In view of our above observation, t	he application is dismissed.	
	Let a plain copy of the order be sup	oplied to the applicant.	
	(Dr. S.K. Das)	(R.K. Bag)	
Rajib	Member (A)	Member (J)	

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Rajib		

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