

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-192 of 2018.Lakshman Mohan Sur. 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 style="text-align: center;">08</p> <p>-----</p> <p style="text-align: center;">17-12-2019</p>	<p>For the Applicant : Mrs. S. Adhikary, Mr. A. Ghosh, Advocates.</p> <p>For the State Respondents : None.</p> <p>For the A.G., W. B. : Mr. B. Mitra, Departmental Representative.</p> <p>The instant application has been filed basically challenging the suspension order dated 24-06-2006. However during the course of the hearing, the Counsel for the applicant had on earlier occasion submitted that though one criminal case is still pending against him. In the mean time, he has retired on 30-09-2017. However till date, he has not received any provisional pension, GPF, Leave Encashment or any pensionary benefits thereof. On earlier occasion, as per our direction, the applicant has already made an application before the District Inspector of</p>	

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	<p>Schools (Secondary Education) Howrah on 28-08-2019. However till date no action has been taken neither he has received any amount with regard to the provisional pension. During the course of the hearing, the Counsel for the applicant has drawn our attention to the letter dated 14-08-2019 followed by reminder dated 29-11-2019 issued by the Accounts Officer/PEN XI from the AG office to the District Inspector of Schools (Secondary Education) Howrah asking for their immediate action for payment of admissible amount as per Rules. However till date no amount has been paid.</p> <p>During the course of the hearing, it is noted that till date the applicant has not filed application for GPF in proper format which he undertake to file before the authority. However with regard to the other admissible dues especially with regard to the provisional pension or the interim allowance as the case may be as per Rule 14 of the D.C.R.B. Rule, no action has been taken. Further the</p>	

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	<p>Departmental Representative has also submitted that they have no instruction in this regard till date. Therefore they are not in a position to disburse any amount as the department has forwarded the papers to the AG for admissible amount. The matter was heard earlier and the Counsel for the applicant was directed to serve the copy of this order to the respondents. However it has been submitted by the Counsel for the applicant that the Counsel for the respondents has refused to receive the notice and also not appearing before the Court on the earlier occasion and even today. Therefore having no alternative, we direct the District Inspector of Schools (Secondary Education) Howrah respondent no. 3 to take immediate steps for disbursement of admissible dues of the applicant as per Rules and forward the same to the office of the AG for necessary action within a period of 2(two) weeks from the date of received of this order. Registry is directed to send the copy of this order to the respondent no. 3. The Counsel for the applicant has also at liberty to serve the</p>	

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Mihir	<p>copy of the order to the respondent no. 3. In the mean time he has only received Rs. 3,000/- for which no relevant documents has been supplied as he was getting subsistence allowance amounting to Rs. 12,558/-</p> <p>Let the matter be listed on 03-03-2020 under the same heading.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	