

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

The Hon'ble Justice Soumitra Pal, Hon'ble Chairman

&amp; The Hon'ble Dr. Subesh Kumar Das, Administrative Member.

Case No -OA-771 of 2019.**Sakina Bibi. -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;"><u>8</u> 14.9.2020.</p>	<p><b>For the Applicant : Mr. S. Ghosh, Mr. R. K. Mondal, Advocates.</b></p> <p><b>For the State Respondent : Mr. S. K. Mondal, Nos. 1 to 3. Advocate.</b></p> <p><b>For the Principal Accountant : Mr. B. Mitra, General (A&amp;E), West Bengal. Departmental Representative.</b></p> <p>In this application, Sakina Bibi, the applicant has prayed for an order directing the respondents to allow her to draw invalid pension and other pensionary benefits including GPF, Gratuity and GIS with arrears within a stipulated time as the State respondents have allowed her to retire from government service on invalidation ground with effect from 9<sup>th</sup> October, 2018 as she has been declared completely and permanently physically incapacitated for further service by Zonal Medical Board, Kolkata Medical College and Hospital by order dated 9<sup>th</sup> October, 2018, as evident from annexure-"E" at page-29 of the application issued by the Medical Superintendent cum Vice Principal IPGME&amp;R-SSKM Hospital, Kolkata, -the respondent no.-3.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the applicant submits that in view of the</p>	

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	<p>order dated 14<sup>th</sup> June, 2019 being annexure-“E” to the application, the respondents may be directed to disburse the pensionary benefits and other benefits, as prayed for, within a stipulated time.</p> <p>Mr. S. K. Mondal, learned advocate appearing on behalf of the State respondent nos. 1 to 3 submits, if directed, the State respondents will disburse the pensionary and pecuniary benefits in accordance with law.</p> <p>Mr. B. Mitra, the Departmental Representative on behalf of the Principal Accountant General (A&amp;E), West Bengal, -the respondent no.-4, submits that if the pensionary benefits and other related benefits are forwarded to the office of the Principal Accountant General (A&amp;E), West Bengal, necessary order will be passed for disbursement of the same in accordance with law.</p> <p>Having heard the learned advocates for the parties and the departmental representative, since we find that the applicant has been allowed to retire from government service on invalidation ground with effect from 9<sup>th</sup> October, 2018 as she has been declared completely and permanently physically incapacitated</p>	

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	<p>for further service by Zonal Medical Board, Kolkata Medical College and Hospital, as evident from annexure-“E” to the application, the Medical Superintendent cum Vice Principal IPGME&amp;R-SSKM Hospital, Kolkata, -the respondent no.-3, shall intimate the applicant in writing about the formalities to be complied with by her with regard to pensionary and other benefits within a month from the date of furnishing a copy of this order downloaded from the internet / website of the Tribunal. After receiving the intimation, the applicant within one month shall furnish the particulars before the said respondent. After particulars are furnished, the respondent no.-3 shall take necessary action by issuing orders for disbursement of the pensionary benefits including GPF, Gratuity and GIS within one month and shall send it to the office of the Principal Accountant General (A&amp;E), West Bengal -the respondent no. 4, in case it is necessary, and in such event the Principal Accountant General (A&amp;E), shall pass necessary order within eight weeks.</p> <p>Since gratuity is paid to one who is completely invalid and in this case as she has been declared</p>	

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S.M.	<p>permanently physically incapacitated for further service by Zonal Medical Board, Kolkata Medical College and Hospital and allowed to retire from 9<sup>th</sup> October, 2018 -the respondent no.-3 shall grant interest on the delayed payment of gratuity to be calculated from 9<sup>th</sup> October, 2018 in accordance with law.</p> <p>The Original Application is disposed of.</p> <p>(DR. SUBESH KUMAR DAS)                      (SOUMITRA PAL) MEMBER (A)                                      CHAIRMAN</p>	