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ORDER SHEET WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

The Hon'bleMrs.UrmitaDatta (Sen), Member(J) The Hon'bleMr. P. Ramesh Kumar, Member (A)

Case No <u>- OA-858 of 2015.</u>

| Serial No. and Date of order.1 | Order of the Tribunal with signature 2 | Office action with date and dated signature |
|--------------------------------|--|---|
| Date of order.1 | Ζ | of parties when necessary 3 |
| | For the Applicants : Mr. B. Chakraborty, Mrs. S. Agarwal, | |
| 12 | Advocates. | |
| 10-06-2019 | | |
| | For the State Respondents : None. | |
| | For the A.G., W. B. : Mr. B. Mitra, Departmental Representative. | |
| | The Counsel for the applicant has fairly submitted that he is not pressing prayer 'B'. | |
| | | |
| | The instant application has been filed | |
| | prayed for a direction upon the respondent to | |
| | grant and pay the pension and other benefits to | |
| | the petitioners by way of extending the benefit | |
| | of the order dated 21-06-2013 passed by the | |
| | Special Bench of this Tribunal in analogous | |
| | matter arising out of OA N. 1012 of 2012 and | |
| | OA No. 1350 of 2012(Annexure-P/4 of the | |
| | application). Though the application was filed | |
| | in 2015 but till date after granting repeated | |

ORDER SHEET

Sankar Chandra Kumar + 3 Others

Vs. The State of West Bengal & Others.

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| Case No. OA-858 of | Case No. <u>OA-858 of 2015</u> | | |
|---------------------------------------|---|--|--|
| Serial No. and Date of order. 1 | Order of the Tribunalwith signature 2 | Office action with date and dated signature of parties when necessary 3 | |
| | opportunity to the State respondent, no reply | | |
| | has been filed. | | |
| | Departmental Representative of the | | |
| | Principal Accountant General has submitted | | |
| | that unless the State Government would take | | |
| | any decision with regard to the applicants, the | | |
| | Principal Accountant General is not in a | | |
| | position to disburse any benefit in favour of the | | |
| | applicants. | | |
| | It is the case of 2015 and even after | | |
| | granting repeated opportunity to the | | |
| | respondents, no reply has been filed till today, | | |
| | therefore we have proceeded on the basis of the | | |
| | available records. | | |
| | We have also perused the records filed | | |
| | by the applicants, wherein it is found that the | | |
| | applicants are asking for extension of benefit of | | |
| | Judgement dated 21-06-2013 being similarly | | |
| | circumstances. As no reply has been filed, | | |
| | therefore whether the applicants were actually | | |
| | similarly circumstance or not to the | | |

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| Serial No. and Date of order. 1 | Order of the Tribunalwith signature 2 | Office action with date and dated signature of parties when necessary 3 | |
| | aforementioned judgement, we are not in a | | |
| | position to adjudicate the matter. Therefore, we | | |
| | direct the State respondents to examine the | | |
| | case of the applicants and to take decision | | |
| | whether the applicants are exactly similarly | | |
| | circumstances of the aforesaid judgement or | | |
| | not and to pass a reasoned and speaking order | | |
| | within a period of 8(eight) weeks from the date | | |
| | of receipt of the order. It is further directed that | | |
| | if the applicants or any of the applicant are | | |
| | being found similarly circumstances to the | | |
| | aforesaid judgement dated 21-06-2013, the | | |
| | respondents are directed to extend the benefit | | |
| | of the said judgement within a period of 8(eight) | | |
| | weeks further from the date of passing the | | |
| | reasoned and speaking order. | | |
| | | | |
| | Accordingly, the OA is disposed of | | |
| | with the above observations and direction with | | |
| | no order as to cost. | | |
| | | | |
| | P. RAMESH KUMAR URMITA DATTA (SEN) MEMBER(A) MEMBER(J) | | |
| Mihir | | | |

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| Serial No. and Date of order. | Order of the Tribunalwith signature 2 | Office action with date and dated signature of parties when necessary | |
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