

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER

Case No. OA-82 of 2025

Sk. Birlal Alam - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

02
13.05.2025

For the Applicant : Md. Mahmud,
Learned Advocate.

For the State Respondents : Mr. S.N. Ray,
Learned Advocate.

For the Pr. A.G.W.B. Mr. B. Mitra.

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

Affidavit of service filed, be kept with the record.

The applicant by filing this application has prayed for a direction to the respondent authorities to condone the deficiency of one month twenty three days of his service to enable him to qualify for pension. A representation furnished by the applicant before the Executive Engineer dated 05.12.2024 informs that he was appointed to the post of Group-D on 16.09.2014 and superannuated on 31.07.2024 having served for 9 (nine) years 10 (ten) months and 7 (seven) days. Due to such deficit for the qualifying service, the applicant was not found pensionable. Md. Mahmud, learned counsel prays for liberty to furnish a representation before the competent authority, Principal Secretary, Irrigation & Waterways Department praying for condonation of the shortfall of one month and twenty three days under Rule 36 of Death-cum-Retirement Benefits Rules, 1971. Mr. Ray, learned counsel appearing on behalf of the state respondents does not oppose.

Liberty is given to the applicant to furnish a representation before the Principal Secretary, Deptt. of Irrigation & Waterways

Vs.

Case No **OA-82 of 2025**

THE STATE OF WEST BENGAL & OTHERS.

praying for condonation of shortfall of qualifying pensionable service of one month and twenty three days under of Rule 36 of Death-cum-Retirement Benefits Rules, 1971. If such representation is filed, Principal Secretary is directed to consider the same and take the final decision as per rules within a period of three months from the date of receipt of such representation.

Accordingly, the application is disposed of

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

sc