

ORDER SHEET
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 296 OF 2024

UTPAL CHAKRABORTY - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

04

25.06.2025

For the Applicant	:	Mr. Indrajit Biswas Sk. Samsul Arefin Mrs.Sunita Agarwal Advocates
For the State Respondents	:	Mr. Shaon Bhattacharya Advocate
For the Principal Accountant General (A&E) West Bengal	:	Mr. Biswanath Mitra (Departmental representative)

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.

On consent of the learned counsels and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent authorities to sanction and disburse his pensionary benefits in terms of Memo. 114 dated 02.11.2017. Earlier, the Block Development Officer of Health, Bagda BPHC, Paschim Medinipur had submitted a proposal for pension which was examined and after examination, the office of the Principal Accountant General (A&E) observed that the total qualifying service of the applicant is only 9 years 3 months and 16 days. Since there is a shortfall of qualifying service, he was not entitled to pensionary benefits as per West Bengal Services, DCRB Rules, 1971. It is understood from the records that the applicant's total qualifying service was less than 10 years which did not entitle him to receive pension.

By a Memo. No. 232 dated 14.01.2009, this applicant along with

68 other DDT Spray Workers were appointed as Class IV Worker (Group- D) from the day they jointed the post. The applicant has submitted his joining report before the CMOH, Paschim Medinipore on 16.01.2009. Later after serving for 9 years 3 months and 16 days, he superannuated on 30.04.2018 with the total length of service falling short of 10 years. Earlier on 17.03.1998, this Tribunal had disposed of OA-306 of 1998 by passing a direction to the respondent side to pass a reasoned order after giving an opportunity of hearing to the applicant and consider the question of his absorption in Group-D post.

Learned counsel argues that in terms of such a direction, the respondent authorities passed the reasoned order in favour of the applicant sometimes in the month of August, 1998. Due to latches on the part of the other respondent authorities, despite such favourable order in the reasoned order, his appointment was delayed and therefore, his total qualifying service is less than ten years.

The Tribunal does not find a copy of the reasoned order passed in terms of a direction of this Tribunal in OA-306 of 1998. Therefore, it is not in a position to see if there is any merit in this matter. Since it is important to examine the reasoned order, a direction is given to the applicants as well as the respondent No. 2 (iv) the Chief Medical Officer of Health, Pashcim Medinipur to present a copy of the reasoned order passed by the Chief Medical Officer of Health, Pashcim Medinipur in terms of the direction of this Tribunal in OA-306 of 1998.

Let the matter appear under the heading 'Hearing' on 26th November, 2025.

BLR

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

ORDER SHEET

Form No.

UTPAL CHAKRABORTY

Case No **OA 296 OF 2024**

Vs.
THE STATE OF WEST BENGAL & OTHERS.

WEST BENGAL ADMINISTRATIVE TRIBUNAL