

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 615 of 2024

Prabir Kumar Roy -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

04
08.04.2025

For the Applicant : Mr. G. Halder,
Mr. A. Mitra,
Mrs. P. Sasmal,
Ld. Advocates.
For the State Respondents : Mr. S. Ghosh,
Ld. Advocate.
For the Pr.AG (A&E), WB : Mr. B. Mitra,
Ld. Depttl. Rep.

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.

Mr. Halder, learned counsel argues that in terms of para 18(ii) of the Rafiq Masih case, such recovery of the overdrawn amount from his gratuity is not tenable.

Mr. Ghosh, learned counsel presents a set of documents relating to such overdrawn and recovery exchanged between the office of the Principal Accountant General (A&E), West Bengal and the Director of MSME. From the memo. no. 449312 dated 09.09.2024, it appears that such recovery was made on the basis of instructions received from the Director of MSME under his memo. no. 126/Estt. dated 22.12.2023.

Mr. Ghosh has been advised to file a reply enclosing relevant documents, including the memo no. 126/Estt. dated 22.12.2023. Let such reply be filed and copy be served upon the other side.

Let the matter appear under the heading **“For Orders”** on **15.07.2025.**

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

SS/HS