

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**HON'BLE JUSTICE SOUMITRA PAL,
HON'BLE SAYEED AHMED BABA,**

**HON'BLE CHAIRMAN &
ADMINISTRATIVE MEMBER.**

Case No. – OA 714 of 2021.

SADHAN CHANDRA LOHAR - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Nitra, Advocate.
<u>3</u> 10.12.2021	For the State Respondents	: Mrs. S. Agarwal, Advocate.
	For the Principal Accountant General (A & E) West Bengal.	: Mr. B. Mitra, Departmental representative.

Affidavit of service filed today be kept on record.

Since despite service of notice, none appears on behalf of the State respondents. Mrs. S. Agarwal, learned advocate, who normally appears on behalf of the State respondents is requested to appear in this matter. Let a copy of the application be served by Mrs. S. Mitra, learned advocate for the applicant on Mrs. Agarwal, which is served and accepted. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mrs. Agarwal.

In this application Sadhan Chandra Lohar, the applicant has prayed for certain reliefs, the relevant portion of which which is as under :-

“.....b) Direction be given upon the respondents to sanction and release the Provident Funds, Gratuity, Leave Encashment Salary and other terminal benefits together with interest @ 8% per annum over the said outstanding due amount from next date of retirement from service, i.e. 01.01.2011 till date of payment of said amount to the applicant...”

Mr. Mitra submits that since during the pendency of a criminal case the applicant had superannuated on 31st December, 2010, though the applicant is not entitled to pension he is entitled to interim allowance, General Provident Fund and Group Insurance. Prayer is the respondents may be directed to release the same.

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Mrs. Agarwal submits if the applicant furnishes representation praying for grant of interim allowance, General Provident Fund and Group Insurance, same shall be released in accordance with law.

Mr. B. Mitra, the departmental representative of Principal Accountant General (A & E) West Bengal, - the respondent no. 6 submits on instruction that General Provident Fund has already been released in favour of the applicant.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file a representation praying for grant of interim allowance, General Provident Fund, if not already paid, and Group Insurance along with a copy of this order after being downloaded from the website of the Tribunal, within eight weeks before the Director of Animal Husbandry and Veterinary Services, West Bengal – the respondent no. 2. If application is filed, same shall be disposed of by the said respondent by passing a reasoned order to be communicated to the applicant within fifteen weeks after giving an opportunity of hearing and after verifying the records, including the records relating to disbursement of General Provident Fund as contended on behalf of the Principal Accountant General (A & E) West Bengal.

(SAYEED AHMED BABA)
MEMBER(A)

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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