

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 941 of 2019

Arunava Jana & Others -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicants	: Mr. B.L. Sahoo, Ld. Advocate.
	For the State Respondents	: Mr. S.N. Ray, Ld. Advocate.
<u>22</u> 04.04.2025	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.

The case, in brief, is that the applicant had superannuated on 30.06.2003. However, his pension and other retiral benefits were not released to him for the reason that two criminal cases were lodged against him in the year 2004. Mr. Sahoo, learned counsel had submitted that such criminal cases were concluded by the Learned Criminal Trial Court after acquitting the applicant. He was acquitted from the first case on 15.05.2012 and the second case on 30.11.2012. Once acquitted, the applicant preferred a representation before the respondent authorities on 25.09.2012 praying for release of his pension and other retiral dues. Later, after considering his representation, his pension was sanctioned and the PPO was issued on 31.10.2014. Similarly, all other retiral benefits were released to him after this day. Now, the prayer is for a direction to the respondent authorities to give him the interest amount on the delayed release of his pension and other retiral benefits from 01.07.2003 till actual release of his PPO on 31.10.2014. Mr. Sahoo files copies of judgments of Hon'ble Supreme Court and Calcutta High Court in support of such prayer made by the applicant in this application.

Appearing on behalf of the State respondents, Mr. Ray, learned counsel argues that the applicant is not entitled to get any interest on the delayed release of his retiral benefits. Though the delay had occurred, the applicant cannot ascribe such delay as

Form No.

Case No. **OA-941 of 2019**

Vs.

The State of West Bengal & Ors.

latches on part of the respondent authorities.

Mr. Mitra representing on behalf of the Principal Accountant General (A&E), West Bengal had pointed out that the suspension order was lifted by the respondent authorities on 23.05.2014 and after such revocation, the applicant himself prayed for release of his pension by submitting his pension papers in prescribed forms on 23.06.2014. Such pension proposal was submitted before the office of Principal Accountant General (A&E), West Bengal by the Pension Sanctioning Authority on 26.06.2014. Thereafter, the PPO was issued by the Principal Accountant General (A&E), West Bengal on 31.10.2014.

From the submissions and the statements, it has become clear that such delay was due to his own involvement in two criminal cases where the charges were grave in nature. Once the applicant was acquitted from these criminal charges, his pension and other retiral benefits were released within a reasonable period of time.

Having heard learned counsels and after examination of the records, the Tribunal has come to this conclusion that there were no latches on the part of the respondent authorities in releasing his pension and other dues. For the delay which occurred, only the applicant himself is to be blamed and he knew it well that due to the pendency of the two criminal cases, pension and other benefits could neither be asked for nor can these be sanctioned by the authorities to him.

Thus, finding no merit in the prayers, this application is **disposed of** without any order.

SS/HS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)