

02.07.2021
SL No.12
Court No.16
(gc)

WPST 15 of 2020

**Biswanath Gayen
Vs.
The State of West Bengal & Ors.**

(Via Video Conference)

Mr. Saktipada Jana,
Mr. Aninda Bhattacharya,
...for the Petitioner.
Mr. Swapan Kr. Datta,
...for the State.

The petitioner is aggrieved by the order dated 5th September, 2019 in O.A. 551 of 2019 in which the prayer of the applicant for direction upon the respondents to make payment of interest @ 18% per annum on the amount of arrears of pension and gratuity on the ground of delayed payment of pension and gratuity.

It appears from the order of the learned Tribunal that there is nothing on record to indicate on which date the applicant submitted the application for condonation of deficiency in qualifying service for grant of pension as admittedly there is a shortfall of 26 days in qualifying service for grant of pension was condoned by the State Government on 2nd January, 2018 on the basis of the application submitted by the applicant. The learned Tribunal was unable to consider the case for grant of pension since specific date, month or year of submission of application for condonation of shortfall in deficiency of service has not been

disclosed by the applicant. In absence of such particulars and having regard to the fact that in terms of the order dated 10th May, 2018 pension has been released in favour of the petitioner on 21st February, 2019, we do not find any reason to interfere with the order passed by the learned Tribunal.

Accordingly, the writ petition, being WPST 15 of 2020, stands dismissed.

However, there shall be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)