

05.03.2021
Item Nos.8
AP/ss

WPST 232 of 2016

Sukanti Chakraborty

Vs.

The State of West Bengal and Ors.

(Through Video Conference)

M/s. Victor Chatterjee,
Biswajit Kumar and
Raja Baliyal, Advocates

... for the petitioner present
in Court.

Order dated August 23, 2016 passed by the West Bengal Administrative Tribunal in O.A. No. 2010 of 2015 has been challenged in the present writ petition.

Original application was filed by the writ petitioner claiming that his case for promotion to the post of Deputy Commissioner of Police, Kolkata should have been considered with effect from October 2007 but he was illegally denied this benefit. He also prayed for release of his retiral benefits.

What is evident from the impugned order passed by the Tribunal is that the petitioner retired from service on attaining the age of superannuation on October 31, 2008, whereas the OA was filed before the Tribunal in the year 2015 i.e. seven years thereafter.

As far as claim of the petitioner for promotion is concerned the OA was rightly dismissed as the petitioner had approached the Tribunal seven years after his retirement. As far as retiral dues are concerned it is evident from the impugned order that the petitioner is

being paid provisional pension for the reason that he is involved in a criminal case, in which the trial is still pending.

Considering the aforesaid facts, we do not find any merit in the present petition. The same is accordingly dismissed.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)