

FMA 3 of 2015

Sristidhar Basuri

Vs.

State of West Bengal & Ors.

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Mr. Subhrangshu Panda

... For the Director of Pension
Provident Fund and Group
Insurance

1. The appellant is not represented.

2. Although the appellant is not represented, however, having regard to the nature of the order and upon hearing the learned counsel representing the respondent no. 2, we are of the view that since the appellant is no way responsible for overdrawal amount, the question of refunding the amount of Rs.33,344/- could not and does not arise.

3. Accordingly, we allow the appeal by directing the respondent authorities to refund the said amount deducted from the pension within four weeks from date.

4. On being requested, Mr. Subhrangshu Panda, leaner counsel, appears on behalf of the respondent no. 2. Learned Government Pleader is requested to regularise the appointment of Mr. Panda.

5. In view of the aforesaid, the appeal being FMA 3 of 2015 stands disposed of.

6. However, there shall be no order as to costs.

7. This order shall be immediately communicated by the department to the appellant for information.

8. Urgent Photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Uday Kumar, J.)

(Soumen Sen, J.)

