

30th January, 2025
(D/L No.11)
Ct. No.4
(SKB)

W.P.S.T.189 of 2024

Nirmal Chandra Das
Versus
State of West Bengal and others

Mr. Anjan Bhattacharya,
Ms. Anita Shaw,
Ms. Salma Sultana
....for the petitioner.

Mr. Tapan Kr. Mukherjee, ld. AGP,
Ms. Sangeeta Royh
... for the State.

1. Heard learned counsel for the petitioner and the learned counsel for the State.
2. There is a shortfall of two months and twenty-two days in the qualifying service which would entitle the petitioner to grant of pensionary benefits.
3. The State Administrative Tribunal (in short 'Tribunal') has dismissed the application for such relief on the ground that the petitioner did not exhaust his remedies as contemplated under Section 20 of the Administrative Tribunals Act, before approaching the Tribunal.
4. The learned counsel for the petitioner submits that the issue regarding the condonation of a shortfall of such a small period stands decided by this court in WPST No. 20 of 2024.

5. Relying upon such pronouncement, the petitioner would approach the authorities for grant of the benefit of condonation.
6. In view of such submission, we leave it to the petitioner to approach the authorities. We make it clear that dismissal of the petitioner's O.A. No.3 of 2024 will not prejudice the petitioner's claim.
7. The writ petition is, thus, dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)