

W.P.S.T. 45 of 2026

**Shri Rabi Bhusan Pandey
Vs.
The State of West Bengal & Ors.**

Mr. Sankha Ghosh,
Mr. B. Nandy

...for the Petitioner

Mr. Tapan Kumar Mukherjee, Id. G.P., (through VC)
Mr. Pinaki Dhole,
Mr. Somnath Naskar

...for the State

Mr. Suman Basu

...for the Respondent No.5

1. The learned advocate for the writ petitioner submits that the writ petitioner retired in 2018. He was thereafter proceeded against in a criminal case, which ended in his acquittal in the year 2022. He further submits that upon his acquittal his dues under G.P.F. was paid in the year 2023. He submits that since the West Bengal Administrative Tribunal ('Tribunal' for short) is not functional for want of a member, we should take up the matter though an Original Application (O.A.) in respect of the relief prayed for in the writ petition is pending.
2. We have been taking up matters everyday arising out of the Tribunal as the Tribunal is non-functional for want of a member. In the present case, however, from the facts and circumstances noted above, we find that the petitioner did not take steps diligently. It is admitted as per

submission of the petitioner's learned advocate that a more than two years after the G.P.F. was paid that he filed the O.A. Therefore, an issue of limitation may also arise in this case before the Tribunal.

3. The Writ Petition is disposed of, therefore, leaving it to the petitioner to avail his remedy before the Tribunal in accordance with law.

(Madhuresh Prasad, J.)

(Prasenjit Biswas, J.)