

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No – O.A. 568 of 2019

Jiban Krishna Kar Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">9</p> <hr/> <p>08.09.2020</p>	<p>For the Applicant : Mr. Biswa Priya Ray Mr. G.P. Banerjee, Advocates</p> <p>For the Respondents : None</p> <p style="text-align: center;">Let affidavit of service, affirmed on 26th February, 2020, filed today be kept on record.</p> <p style="text-align: center;">In this application, Jiban Krishna Kar, the applicant, - who retired on 28th February, 1993 - has prayed for certain reliefs, the relevant portion of which is as under:</p> <p style="text-align: center;">“10. A) An order directing the respondents authorities concerned to record the name of wife of the applicant in PPO by making necessary correction immediately and without any further delay;”</p> <p style="text-align: center;">It has been stated in the application that the applicant had joined the post of Lower Division Clerk in</p>	

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	<p>the office of the Collector, Dakshin Dinajpur and was subsequently promoted as Upper Division Clerk on 1st April, 1981. On 25th November, 1970 he married Sathi Kar (Bhowmick). The said relation was not recorded in the Pension Payment Order. After superannuating on 28th February, 1993 he is drawing pension. Subsequently in 2015 the applicant shifted to Budge Budge, 24-Parganas (South) and started residing with his wife Sathi Kar (Bhowmick). Even after shifting the applicant used to receive pension from Balurghat Treasury-I, Dakshin Dinajpur. The applicant registered the marriage with Sathi Kar (Bhowmick) before the Marriage Officer, Alipore Sadar Sub-Division, Gazipur, 24-Parganas (South) on 3rd September, 2002 with effect from 25th November, 1970 and marriage certificate was granted, which is Annexure "P-1" to the Original Application.</p> <p>On 9th July, 2018 the applicant made an application before the Additional Treasury Officer (Pension), Balurghat Treasury-I, Dakshin Dinajpur, the respondent no.2(V) to incorporate the name of his wife, Sathi Kar (Bhowmick) in his PPO. Subsequently, the Additional Treasury Officer (Pension), Balurghat Treasury-I, intimated that the Treasury Officer is not the pension sanctioning authority and as the Collector, Dakshin Dinajpur, the respondent no. 2(III) is the pension sanctioning authority, the applicant should pray before the Accountant General (A&E), West Bengal, the respondent</p>	

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	<p>no. 2(II), through the Collector, Dakshin Dinajpur for recording the name of Sathi Kar (Bhowmick) as his wife. Thereafter on 2nd April, 2019 an application was filed before the Collector, Dakshin Dinajpur for recording the name of his wife, Sathi Kar (Bhowmick) as his wife.</p> <p style="text-align: center;">It is submitted by Mr. G.P. Banerjee, learned advocate for the applicant that since an application has been filed, the respondents may be directed to consider it.</p> <p style="text-align: center;">Despite service of notice none appears on behalf of the State respondents.</p> <p style="text-align: center;">Having heard the learned advocates for the applicant and considering the facts and circumstances of the case, the application is disposed of by directing the Collector, Dakshin Dinajpur, the respondent no.2(III), to dispose of the representation for incorporating in the PPO the name of Sathi Kar (Bhowmick) as his wife, being annexure "P-5" to the application, by passing a reasoned order to be communicated to the parties within three months from the date of presentation of a copy of this order, downloaded from the internet, after giving an opportunity of hearing to the applicant and to Sathi Kar (Bhowmick) after verifying the records and after being satisfied with the identity of the applicant and Sathi Kar (Bhowmick). It is also made clear that we have not gone into the veracity and authenticity of the marriage</p>	

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SCN.	<p>certificate and it is for the Collector, Dakshin Dinajpur to come to a conclusion and to take appropriate steps.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	