

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

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das

Case No – OA 569 OF 2017

SUCHITRA DAS 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;">5</p> <hr/> <p>19.04.2018</p>	<p>For the Applicant : Mr. Dilip Kumar Maiti Learned Advocate</p> <p>For the Respondent: Mrs. Ruma Sarkar No. 1, 3, 5 & 6 Mr. Aniruddha De Departmental Representative</p> <p>For the Respondent No.2 : Mr. Ruhul Amin Chowdhury Learned Advocate</p> <p>For A.G., West Bengal : Mr. Biswanath Mitra Departmental Representative</p> <p>The applicant has prayed for direction upon the respondents to release family pension and other retirement benefits in favour of the applicant.</p> <p>It appears from the materials on record that one Biswanath Das died on May 4, 1987 while he was posted as Night Guard in the office of Junior Land Reforms Officer, Khakurda in the District of Paschim Medinipur. The applicant being the wife of the deceased employee submitted application for family pension and other retirement benefits of her deceased husband. The husband of the applicant died after completion of service for a period of seven years eight months and seven days. The</p>	

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	<p>respondent No. 3 passed a reasoned order in connection with the application of the applicant on June 2, 2011 in compliance with the direction given by this Tribunal on April 7, 2011 in connection with O.A. No. 141 of 2011. Thereafter, the applicant submitted fresh application before the respondent No. 2 praying for family pension and other retirement benefits of her deceased husband. The respondent No. 2 forwarded the application of the applicant to the respondent No. 6 asking him to submit 14 items of documents including original service book of deceased Biswanath Das for deciding the claim of the applicant for family pension and other retirement benefits of her husband. The respondent No. 6 could collect some documents but the original service book was not available and as such, direction was given for reconstruction of the service book for processing the claim of the applicant. It appears from the report submitted on behalf of the State respondents that out of fourteen items of documents required for processing claim of the applicant for family pension and retirement benefits of her deceased husband, the applicant supplied only five documents on August 11, 2014.</p> <p>Having heard Learned Counsel representing both</p>	

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	<p>parties and on consideration of the tenure of service of the deceased husband of the applicant, we are not inclined to make any observation about the entitlement of the applicant for family pension at this stage. Since the matter is still pending for consideration of the respondent No. 2 and since the applicant could not supply all the documents required for processing the claim of the applicant, we would like to dispose of the instant application by giving direction to both the respondent No. 2 and the applicant.</p> <p>Under the above circumstances, the applicant is directed to supply copy of the documents mentioned in letter dated January 31, 2014 issued by the respondent No.2, District Magistrate and Collector, Paschim Medinipur to the respondent No. 6, Sub-Divisional Land & Land Reforms Officer, Kharagpur, if not already supplied, within a period of four weeks from the date of this order. The respondent No. 6, Sub-Divisional Land & Land Reforms Officer, Kharagpur is directed to forward all necessary documents mentioned in the letter dated January 31, 2014 issued by the District Magistrate and Collector, Paschim Medinipur to the respondent No. 2 within a period of eight weeks from the date of this order. The respondent No. 2, District Magistrate and Collector,</p>	

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SCN.	<p>Paschim Medinipur is directed to consider the claim of the applicant for family pension and retirement benefits of her deceased husband in accordance with law within a period of sixteen weeks from the date of communication of this order.</p> <p>With the above direction, the original application is disposed of.</p> <p>Let a plain copy of the order be supplied to all the parties.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(R.K. Bag) MEMBER (J)</p>	