

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 –OA 1243 OF 2015

NEETA GHOSH 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>10</p> <hr/> <p>24.8.2018</p>	<p>For the Applicant : Mr. A.K. Sinha Advocate</p> <p>For the Respondents: Mr. S. Ghosh Advocate</p> <p>For the A.G., West Bengal : Mr. B. Mitra Departmental Representative</p> <p>As prayed for by Mr. Sinha, learned advocate for the applicant, leave granted to add the Principal Secretary, Finance Department, Government of West Bengal as party respondent by amending the cause title. Since Mr. S. Ghosh, learned advocate appearing on behalf of the State respondent No. 1 to 4 accepts service of notice on behalf of added respondent, no further copy of the application need be served. Since the matter relates to grant of family pension the Registry is directed to change the code number from 1 to 12.</p> <p>In this application, Neeta Ghosh, stated to be daughter of late Dharani Ranjan Ghosh, an employee of Cottage and Small Scale Industries (Loan Section), who had expired on 26th August 1995, has prayed for a direction upon the respondents to grant family pension since the State Government by circular dated 3rd March,</p>	

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	<p>2008 extended family pension to the unmarried daughters also. It is submitted that though, as evident from the original application, several representations were filed before the appropriate authority, no action has been taken. Aggrieved, this application has been filed to grant family pension as per the Government Circular dated 3rd March, 2008. On a query it is submitted by Mr. A.K. Sinha, learned advocate for the applicant that pursuant to the memo dated 23rd July, 2013, the applicant has produced the photo copy of the nomination paper and death certificate of the parents. She has also stated that her father was Industrial Investigating Officer in the Loan Section as evident from the intimation dated 20th September, 2013 furnished by the applicant before the General Manager, in the office of the General Manager, District Industries Centre, Directorate of Micro & Small Scale Enterprises, Sadarghat, Burdwan, respondent no.4.</p> <p>Mr. Sankha Ghosh, learned advocate appearing on behalf of the State respondent, on instruction, submits that the Director, Directorate of Cottage and Small Scale Industries, Government of West Bengal, Burdwan, respondent no.2 had collected some documents regarding late Dharani Ranjan Ghosh and those have been sent to the Finance Department on 16th May, 2018.</p>	

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SCN.	<p>Mr. B. Mitra, Departmental Representative of the Principal Accountant General (A&E), West Bengal adopts the submission of Mr. S. Ghosh.</p> <p>Having heard the learned advocates for the parties and the departmental representative of the Principal Accountant General (A&E), West Bengal, since the respondent no.2 on 16th May, 2018 has sent the documents before the Finance Department, Government of West Bengal, the Principal Secretary, Finance Department, Government of West Bengal, the added respondent is directed to take a decision regarding grant of family pension to the applicant within a period of twelve weeks from the date of presentation of a copy of this order after giving an opportunity of hearing to the applicant and after verifying the records and after holding an enquiry, if required. If it is found that the applicant is entitled to family pension, it shall be granted to the applicant on compliance of formalities, if any.</p> <p>Urgent Photostat certified copy of this order, if applied for, be furnished to the parties on priority basis.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	