

**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 219 OF 2018

**KALIDASI ADHIKARI Vs The State of West Bengal & Ors.**

| Serial No. and Date of order.<br>1 | Order of the Tribunal with signature<br>2  | Office action with date and dated signature of parties when necessary<br>3 |
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| <p>1</p> <hr/> <p>03.07.2018</p>   | <p>For the Applicant : Mr. Ashis Santra<br/>Mrs. S. Mitra<br/>Learned Advocate</p> <p>For the State Respondent: None</p> <p>Affidavit of service filed be kept on record. Mr. Kalidasi Adhikari, the applicant has filed this original application praying for a direction upon the respondents for immediate sanction and for release of family pension in her favour, being the daughter of a deceased Government employee, with effect from the death of her mother, who expired on 01.01.2016, who had been receiving family pension after the death of the father of the petitioner.</p> <p>Submission is that though she has complied with the conditions No. 2, 3 and 4 of the memo dated 13<sup>th</sup> December, 2016, appearing at page 24 of the application, whereby certain documents were sought for grant of family pension and though she has submitted an affidavit of Sri Durga Pada Hota (brother of the applicant) affirmed before the Judicial Magistrate, 1<sup>st</sup> Class, Purba Medinipur</p> |  |

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|                                    | <p>giving all particulars and has also mentioned the names of the other legal heirs, which appears at page 25 and 26 of the application, and though a representation dated 28<sup>th</sup> August 2017 was filed before the Assistant Chief Officer of Health, Purba Medinipur, the respondent No. 3, till date no steps have been taken. Aggrieved this application has been filed.</p> <p>Mr. B. Mitra, Departmental representative appearing for the Principal Accountant General, West Bengal, Treasury Building, Kolkata, respondent no. 5, submits that he has received no communication from the Department concerned.</p> <p>Having heard the Learned Advocate for the applicant and the Departmental Representative and considering the facts and circumstances of the case the original application is disposed of by directing the Director of Health Services, West Bengal, Kolkata, Respondent No. 2 to dispose of the matter regarding grant of family pension to the applicant by passing a reasoned order to be communicated to the parties within a period of six weeks from the date of presentation of a copy of the certified copy of this order after giving an opportunity of hearing to the applicant and after verifying the records including the copies of which have been annexed to this application. The copy of the said reasoned order be</p> |  |

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| SCN.                                  | <p>served upon the respondents within a week from the date of passing such order. If it is found by the Director of Health Services, Respondent No. 2 that the applicant is entitled to family pension he shall issue necessary directions to the pension sanctioning authority within two weeks thereafter and the pension sanctioning authority shall release the family pension within a period of four weeks from date of compliance of all formalities by the applicant. It is made clear that we have not gone into the merits of the matter and all points are left open to be dealt with by the Director of Health Services, Respondent No. 2. Since the application is disposed of at the stage of admission without calling upon the respondents to file reply, the allegations made therein are deemed to have been denied.</p> <p style="text-align: center;">Urgent Photostat certified copy of this order, if applied for, be furnished to the parties on priority basis.</p> <p>(S.K. Das)<br/>MEMBER (A)</p> <p style="text-align: right;">(Soumitra Pal)<br/>CHAIRMAN</p> |  |