

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Dr. Subesh Kumar Das**

**Case No – OA 1364 OF 2014**

**Smt. Bela Dey 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
17 09.08.2018	<p>For the Applicant : Mr. A. Hati, Learned Advocate.</p> <p>For the Respondents : None.</p> <p>For the AG (A&amp;E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicant has prayed for direction upon the respondents to grant family pension in favour of the applicant.</p> <p>One Nikhil Kr. Dey retired from the post of Upper Division Clerk in the establishment of District Inspector of Schools (Primary Education), Hooghly on July 31, 2007. He expired on November 4, 2012. The applicant Bela Dey claims to be the legally married wife of the deceased Nikhil Kr. Dey. According to the applicant the marriage took place on August 15, 1972 and two daughters were born from the wedlock between the applicant and her deceased husband. The applicant used to get maintenance from the deceased Nikhil Kr. Dey at the rate of Rs.1,800/- per month by virtue of order dated February 26, 2007 passed by Learned Judicial Magistrate, 4<sup>th</sup> Court, Hooghly in M.C. No. 216 of 2006. The grievance of the applicant is that family pension has not been released in favour of the applicant in spite of death of Nikhil Kr. Dey on November 4, 2012.</p> <p>Mr. Mitra, the Departmental Representative of respondent AG (A&amp;E), West Bengal submits that the Pension</p>	

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Smt. Bela Dey

Form No. ....

**Vs.**

**The State of West Bengal & Ors.**

Case No. OA 1364 OF 2014

Sanctioning Authority has not yet furnished sanctioned order for grant of family pension in favour of the applicant in spite of sending one letter in this regard by the Accounts Officer of AG (A&E), West Bengal on October 9, 2015.

Under the above circumstances, the respondent no. 2, District Inspector of Schools (Primary Education), Hooghly is directed to decide the entitlement of the applicant to receive family pension in accordance with law after giving the applicant an opportunity of hearing within a period of 12 (Twelve) weeks and to take necessary follow up action within a period of 2 (Two) weeks thereafter.

The applicant is directed to serve copy of this order along with copy of the original application and annexures thereto on the respondent no. 2 by Speed Post within a period of 2 (Two) weeks from this date, in default this order stands cancelled.

With the above direction, the original application stands **disposed of.**

Let a plain copy of this order be supplied to both parties.

( S.K. DAS )  
MEMBER(A)

( R. K. BAG )  
MEMBER (J)

Sanjib