

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 233 OF 2016**

Rabeya Yusuf Khatun 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
08 26.03.2018	<p>For the Applicant : Mr. N.C. Mondal, Learned Advocate.</p> <p>For the Respondents : None.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicant has prayed for direction upon the respondents to release family pension, arrears of pension of her deceased husband and retirement benefits of her deceased husband with interest.</p> <p>The contention of the applicant is that her husband Dr. Yusuf Ali was appointed as Dental Surgeon by the Department of Health & Family Welfare, Government of West Bengal on August 9, 1973. The further contention of the applicant is that Dr. Yusuf Ali retired from service on September 30, 2001 as Dental Surgeon, Bagda Rural Health Centre in the district of North 24-Parganas. It is contented on behalf of the applicant that Dr. Yusuf Ali died on April 22, 2010 without receiving any pension and without receiving retirement benefits as Government employee. He died leaving behind the applicant as his widow, one daughter and three sons as legal heirs. The applicant submitted application before the respondent no. 2, Director of Health Services, Government of West Bengal on August 8, 2012 praying for release of family pension, arrears of pension and other retirement benefits of her husband, but the said respondent has not yet considered the application of the applicant. It appears from letter</p>	

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dated October 1, 2012 issued by the Director of Health Services, Government of West Bengal that the order has not been issued by the concerned department for release of retirement benefits of the deceased husband of the applicant and for grant of family pension in favour of the applicant.

Having heard Learned Counsel representing the applicant and the authorized representative of AG (A&E), West Bengal, we direct the respondent no. 3, Chief Medical Officer of Health, North 24-Parganas to consider entitlement of the applicant to get family pension, arrears of pension and retirement benefits of her deceased husband and pass a reasoned order after giving the applicant an opportunity of hearing, if necessary, within a period of 12 (twelve) weeks from the date of communication of the order and to communicate the result of the same to the applicant within a period of 2 (two) weeks thereafter.

The applicant is directed to serve a copy of this order along with copy of application and annexures thereto on the Chief Medical Officer of Health, North 24-Parganas by Speed Post within a period of 2 (two) weeks from this date.

With the above direction, the original application is disposed of.

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

Sanjib

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

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