

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 722 OF 2016**

Nazima Bibi 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 <hr/> 13.07.2018	<p>For the Applicant : Mr. S. Datta, Learned Advocate.</p> <p>For the Respondents : Mr. D. Koley, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p style="text-align: center;">The applicant has prayed for direction upon the respondents to release family pension and arrears of family pension, if any.</p> <p style="text-align: center;">One Majibar Rahaman retired from the post of Head Constable of Police at Barasat Police Station on July 1, 1993. The contention of the applicant is that Majibar Rahaman received pension and all retirement benefits after his superannuation. Majibar Rahaman died on June 22, 2015. It appears from the Pension Payment Order issued in favour of Majibar Rahaman that his wife Samsonneha Begum was entitled to get family pension on the death of Majibar Rahaman. It is contented on behalf of the applicant that Samsonneha Begum died on May 3, 2004 without having any issue. The further contention of the applicant is that Majibar Rahaman contracted second marriage with the applicant Nazima Bibi on March 7, 1977 and the said marriage was registered on September 15, 2007. The applicant has prayed for release of family pension in her favour along with arrears of family pension.</p>	

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Form No.

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The State of West Bengal & Ors.

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Having heard Learned Counsel for the applicant, Learned Counsel for the state respondents and the departmental representative of respondent AG (A&E), West Bengal, we are of the view that the respondent no. 2, Superintendent of Police, North 24-Parganas being pension sanctioning authority should take a decision about entitlement of the applicant to get family pension.

Accordingly, the respondent no. 2 is directed to take a decision about the entitlement of the applicant to receive family pension in accordance with rules after giving applicant and other necessary persons an opportunity of hearing, if required, within a period of 12 (twelve) weeks from the date of communication of the order and to take necessary follow up action in this regard within a period of 2 (two) weeks thereafter.

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

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib