

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. OA – 06 of 2024

Santosh Kumar Das - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S. Ghosh, Advocate
<u>4</u> 03.10.2024	For the Respondents	: Mr. Shaon Bhattacharya, Advocate
	For the Pr. A.G. (A & E), West Bengal	: Mr. B. Mitra, (Departmental Representative)

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638 – WBAT / 2J-15/2016 dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

In response to the clarification sought by Principal Accountant General from the BMOH, Purulia relating to legal heir certificate, Mr. Ghosh, learned counsel on the last date of hearing had argued that since the applicant's name is mentioned in the legal heir certificate, there is no need to obtain a succession certificate. He had also submitted that since the other legal heir recorded in the legal heir certificate, Mantu Rani Das, his sister has already expired; therefore, he becomes the sole legal heir to claim and receive such benefit of death gratuity. In this regard, the applicant has now furnished a representation before the respondent authorities including Principal Accountant General. Such letter was furnished by him dated 27.08.2024. Submission is for a direction to the respondent authorities to examine and consider this representation and in the light of facts narrated in the letter, the death gratuity and GPF may be granted to the applicant. Mr. Ghosh has also pointed out that the applicant being the legal heir has already received benefits of leave salary and GISS.

Mr. Bhattacharya, learned counsel appearing on behalf of the State respondents submits that if such a direction is given to the BMOH, Kotshila, BPHC, Purulia, the same will be complied.

In view of the submissions made by the learned counsels, this application is disposed of by directing the respondent no. 5, BMOH, Kotshila, BPHC, Purulia to consider the letter dated 27.08.2024 and after considering the matter as per rules take the final decision as well follow up actions.

Accordingly, this application is disposed.

A.K.P

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)