

**ORDER SHEET**  
**WEST BENGAL ADMINISTRATIVE TRIBUNAL**  
Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Mrs. Urmita Datta (Sen), Member(J) &  
Hob'ble Sayeed Ahmed Baba, Member (A\_)**

**Case No. – OA-142 of 2021**

**Mallika Das VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: Mrs. B. Ghosal, Learned Advocate.
<u>05</u> 05.10.2021	For the State Respondent	: Mrs. S. Agarwal, Learned Advocate.
	For the A.G.W.B.	Mr. B. Mitra.

The instant application has been filed basically praying for a direction upon the state respondents to make payment of family pension in favour of the applicant who is widow daughter of the concerned employee. According to the applicant, her father died on 07.03.2012 and husband is pre deceased on 26.11.2004 and mother expired on 25.04.2010. Subsequently she made an application before the authority providing her family pension as widow daughter as per Memo No. 830-F (Pen) dated 20.09.2010. Subsequently., Sr. Accounts Officer, Office of the Principal A.G.W.B. vide his letter dated 22.10.2019 has asked for certain clarification/compliance of observation to the Superintendent, Haldia Sub-Divisional Hospital, Purba Mednipur. In return to the said letter, he had forwarded certain documents vide letter dated 07.12.2019. However, till date no family pension has been provided to her.

During the course of hearing, the counsel for the applicant has fairly submitted that it would suffice her purpose if the Director of Health Services, W.B. be directed to take final decision and provide her family pension within a stipulated period of time.

The counsel for the respondent has also referred the communication made between them and the Principal A.G.W.B. However, she has no objection to such consideration.

The departmental representative of A.G.W.B. has submitted that from the perusal of the letter dated 07.12.2019 issued by the Superintendent,

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Haldia S.D. Hospital, it is not clear whether they have fully complied with the letter dated 22.10.2019. Therefore, according to Mr. Mitra, state respondents should take final decision in terms of G.O. No. 830-F (Pen) dated 20.09.2010.

Heard both sides and perused the records.

In view of the above, Director of Health Services, West Bengal, Respondent No. 2 is directed to take final decision with regard to entitlement of family pension of the applicant in terms of Memo No. 830-F (Pen) dated 20.09.2010 as well as other relevant rules in this regard and to communicate the said decision by way of reasoned and speaking order within a period of six weeks from the date of receipt of the order. However, if the applicant would be found eligible for such family pension, she should be paid the current family pension and arrear thereof from the date of entitlement within a period of four weeks from the date of such decision. Accordingly, OA is disposed of with no order as to costs.

Since the circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

SAYEED AHMED BABA  
MEMBER (A)

URMITA DATTA (SEN)  
MEMBER (J)

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