

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-259 of 2019

Priyanka Das -- VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order <u>20</u> 31.07.2024	For the Applicant	: Mrs. S. Agarwal, Ld. Advocate. Mr. Soumya Bhattacharya, Ld. Advocate.
	For the State Respondent	: Mr. G.P. Banerjee, Ld. Advocate.
	For the Private Respondents	: Mr. N.G. Chakraborty, Ld. Advocate.

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

The applicant, Priyanka Das praying for family pension in this application is the daughter of the deceased employee, Sankari Das, whose first husband was, also deceased, Rama Das. Sankari Das, the deceased employee and mother of the applicant had died on 14.03.2014 leaving behind two daughters and two sons including the applicant. After the death of her first husband on 27.03.1996, Sankari Das married Raghunath Chakraborty and through this wedlock, a son, Dipak Chakraborty was born. Both Raghunath Chakraborty and Dipak Chakraborty are the private respondents in this application. Similar to the applicant praying and claiming family pension and other death benefits, the private respondents have also prayed for such benefits by filing representations before the office of the respondent authority.

Mr. Banerjee, learned counsel appearing on behalf of the State respondents informs that a case relating to Succession Certificate is pending for disposal in the Court of Learned District Judge, Chinsurah, District-Hooghly in Case No. 01 of 2024. All the sides representing the parties agree that the outcome of prayer in this application entirely depends on the order of the Learned District Judge, Chinsurah in the matter relating to Succession Certificate.

In view of the facts presented by the learned counsels, it appears that the dispute relating to claiming the family pension and other retiral benefits will depend on the outcome of the case relating to Succession Certificate pending before the Learned District Judge, Chinsurah. In view of this fact, the Tribunal finds that the prayer in this application is not relevant. Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS