

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-636 of 2021

Tapan Bauri VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mr. S. Bhattacharya, Learned Advocate.
<u>03</u> 02.12.2021	For the State Respondent	: Mr. A. De, Ms. R. Sarkar, Departmental Representatives.
	For the Pr. A.G.W.B.	Mr. B. Mitra.
	For the private respondent	Mr. R. Ghosal, Learned Advocate.

Affidavit of service has been filed. Let it be kept with the record.
Vakalatnama filed by the private respondent be kept on record.

The instant application has been filed praying for a direction to the respondents to disburse the arrear family pension of their mother late Maya Bauri among the legal heirs. As per the applicant, her father died on 23.12.1988, while in service. Thereafter the mother of the applicant approached this Tribunal in OA-06 of 2018 and this Tribunal vide order dated 08.03.2018, had granted liberty to the mother of the applicant to make a representation before the authority. Subsequently, the mother of the applicant made a representation to the authority but no decision has been communicated till date and in the meantime, the mother of the applicant died on 03.12.2019. Thereafter the applicant being one of the legal heirs has submitted representation dated 11.12.2020, however, till date no decision has been communicated to the applicant.

During the course of hearing, the counsel for the applicant has submitted that it would suffice the purpose of the applicant and the other legal heirs if the authority would take a final decision with regard to entitlement of their mother's family pension and make payment arrear family pension thereof to the applicant and other legal heirs.

ORDER SHEET

Form No.

Tapan Bauri

Vs.

Case No. **OA-636 of 2021**

The State of West Bengal & Ors.

The counsel for the respondent has further submitted that they are enquiring about the entitlement of the mother of the applicant with regard to family pension who died in the meantime. However, they have no objection to reconsider the case of the applicant and other legal heirs as per rules.

In view of the above, Respondent No. 7, S.D.O., Durgapur, Paschim Bardhaman is directed to take decision with regard to entitlement of the family pension of the deceased Maya Bauri and to take follow up action as per rule and to communicate the decision by way of reasoned and speaking order within a period of twelve weeks from the date of receipt of this order. The applicant and his legal heirs are directed to cooperate with the respondents with regard to the establishment of their identification. 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)

SC

ORDER SHEET

Form No.

Tapan Bauri

Vs.

Case No. **OA-636 of 2021**

The State of West Bengal & Ors.

SC

WEST BENGAL ADMINISTRATIVE TRIBUNAL

ORDER SHEET

Form No.

Tapan Bauri

Vs.

Case No. **OA-636 of 2021**

The State of West Bengal & Ors.

sc

WEST BENGAL ADMINISTRATIVE TRIBUNAL