

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 – 85 of 2025

Sima Sarkar - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>1</u> 28.02.2025	For the Applicant	: Ms. S. Malakar, Mr. N. Ch. Mondal, Learned Advocates
	For the Respondents	: Mr. M.N. Roy, Learned Advocate

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 terms of a direction of this Tribunal dated 28.11.2022 in O.A. 129 of 2022, Superintendent of Police, Krishnanagar Police District passed the reasoned order on 25.02.2023. The Tribunal had directed the Superintendent of Police to consider the representation of the applicant and pass a reasoned order relating to release of terminal benefits from the service of Subal Sarkar, the deceased husband of the applicant. From the reasoned order, it has become clear that Subal Sarkar was a dismissed employee and therefore was not entitled to get any pension except his own contribution like G.P.F. and G.I. Both G.P.F. and G.I. were later credited to the Bank Account of the applicant in 2023. It is the observation of this Tribunal that since her deceased husband was a dismissed employee, therefore, the legal heirs are not entitled for family pension and gratuity. The fact of such dismissal of the employee is not in question and disputed by the applicant's side. It is also clear from the reasoned order that the applicant as the legal heir has already received the payment of G.P.F. amounting to Rs. 68,738/- and Rs. 1204/- as G.I. Thus, the prayer in this application is not admissible.

This application is disposed of without passing any orders.

**SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)**

A.K.P.