

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-109 of 2022

Dhani Soren. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mr. S. K. Adhikari, Advocate.
<u>04</u> 04.07.2022.	For the State Respondents	: Mr. M. N. Roy, Advocate.

In this application, the applicant – Dhani Soren is the second wife of the deceased Sitaram Soren who worked as a Constable in State Armed Police and took voluntary retirement on 31.09.1976. After the death of Sitaram Soren, the Sub-Division Officer, Jhargram pursuant to District Magistrate's order issued a legal heir certificate in the name of

1. Smt. Dhani Soren - Wife,
2. Sri Rameswar Soren – Son and
3. Smt. Sakuntala Hembram – Married Daughter for the purpose of payment of pensionary benefits and arrear dues.

Mr. M. N. Roy, learned advocate for the State respondents submits that normally for sanction of family pension a marriage certificate is also required.

Mr. S. K. Adhikari, learned advocate for the applicant submits that the applicant – Dhani Soren is the legally married wife of the deceased being solemnised as per traditional Santhali customs. Since such marriage certificate of a marriage which occurred on 24th November, 1976, is not available, the certificates issued by the Block Development Officer (B.D.O.), Binpur-II Dev. Block and Sub-Divisional Officer (S.D.O.), Jhargram both to the effect that Dhani Soren is wife of late Sitaram Soren and eligible for family pension may be accepted.

After hearing the learned advocates and considering the records in the file, I am of the view that the applicant who is around 63 years old and whose marriage with Sitaram Soren were solemnised way back in 1976, it is clear that she is not able to submit such a marriage certificate. In view of this and considering the applicant is an old lady and has submitted proper legal heir certificate in her favour by the B.D.O. and the S.D.O., I direct the respondent no. 1 to consider the certificate issued by the B.D.O. and S.D.O. as good as a marriage certificate and sanction and disburse the family pension to the applicant – Dhani Soren within a period of 12 weeks from the date of this order to be downloaded from the website of the Tribunal. The respondent may also direct the applicant for her presence with any other documents, if necessary.

The application is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.