

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member.

Case No. –OA-116 of 2022

Nirmala Singha Mahapatra. - Versus - The State of West Bengal & Others.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Advocate.
<u>04</u> 04.07.2022.	For the State Respondents	: Mr. G. P. Banerjee, Advocate.
	For the Principal Accountant General (A&E), West Bengal.	: Mr. B. Mitra, Departmental Representative.

In this application, the applicant – Nirmala Singha Mahapatra, wife of Dhananjay Singha Mahapatra has prayed for suitable direction to the respondents to set aside the impugned order of respondents dated 09.12.2020. The applicant had prayed for release of family pension and other retiral benefits to her. The said employee who worked as a Forest Guard in Forest Department, Bankura district retired on superannuation in 1999. Earlier the Tribunal in the same matter had considered on 06.02.2020 and directed to the respondents “to take a decision whether the applicant is entitled to get family pension and other retirement benefits”. In compliance with the Tribunal’s order, the respondent no. 2 (iii) considered and issued a reasoned order on 09.12.2020. In this impugned order, the respondent has listed several reasons to negate the application for family pension. The relevant reasons are as under :-

1. Service Book is not available;
2. No record of conformation in service and
3. No record available regarding continuation in service or any payments made to him.

In the same impugned order, however, the respondent also mentioned that Dhananjay Singha Mahapatra was a permanent employee and entitled to all service and retiral benefits.

Mr. G. P. Banerjee, learned advocate for the State respondents also submits that to qualify for pension, the employee also did not complete mandatory ten years of continuous service to which Mrs. Agarwal submits that she has relevant records to prove that the employee had worked as Forest Guard for more than ten years.

After hearing the learned advocates and considering the records, I am of the view that the applicant should submit a fresh application with supporting documents to reply to the reasons given in the impugned order, including the fact that Dhananjay Singha Mahapatra had worked for more than ten years continuously. The respondent no. 2 (iii) is directed that if such representation is submitted, the same may be considered and disposed of within eight weeks from the date of submission of such a representation.

The application is disposed of.

(SAYEED AHMED BABA)
MEMBER(A)

S.M.