

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 125 of 2024

Dipa Rai -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. K.K. Chakraborty,
Ld. Advocate.
For the State respondent : Mr. M.N. Roy,
Ld. Advocate.

02
18.04.2024

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.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

By filing this application, the applicant has prayed for pensionary benefits accruing out of her father's service in the Department. As stated by the applicant in this application, her father, Krishna Lal Rai had died while rendering service as a Bana Mazdoor under Sevoke Range, Kurseong Division in the district of Darjeeling on 10.08.1993. Though after the death, the widow and her mother had applied for release of death benefits but subsequently such prayer became infructuous after her remarriage. Now, the applicant being the unmarried daughter and sole legal heir claims entitlement to receive death benefits out of the death of her father, Krishna Lal Rai. In this regard, the applicant had submitted representations before the Divisional Forest Officer, Kurseong Division praying for release of Group Insurance and other admissible benefits. One such representation appears to have been filed before the same authority on 20.12.2023.

Mr. Roy, learned counsel appears for the State respondents submits that since the death of the deceased employee had occurred long time ago some accommodation is required to check with the records and also find out whether such benefits have been already disbursed to other members of the family.

Having heard the submissions of the learned counsels of both sides and considering the facts and circumstances of the case, this application is disposed of with a direction to the Respondent No. 2, The Divisional Forest

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Officer, Kurseong Division, Dowhill, Darjeeling to consider the papers in this application for release of Group Insurance and other admissible benefits, if any, and if entitled as per Rules within the period of 06 (six) months from the date of communication of this order. The respondent may also consider asking the applicant to be present before him with relevant documents, if felt necessary.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS