

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,**

**Case No. - OA 129 of 2024**

**DULI HEMBRAM & OTHERS - Vs - THE STATE OF WEST BENGAL & OTHERS.**

Serial No. and Date of order	For the Applicants	: Mr. Soumendra Narayan Ray Advocate
<u>01</u> 09.04.2024	For the Respondent No. 2(b)	: Mrs. Sunita Agarwal Advocate

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 23<sup>rd</sup> 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.

The applicant has prayed for a direction to release the interest @ 18% per annum for delayed payment of wages earned by her deceased husband as a prisoner. The prayer also is for releasing deceased employee's provident fund and gratuity. Mrs.S.Agarwal, learned counsel submits that though there was some delay in releasing the wages, but such delay was due to the late submission of the claim form by the applicant. The deceased employee and husband of the applicant had died in prison on 29.01.2020. Mrs.Agarwal also submits that for release of provident fund and gratuity, if admissible, the Department of Home and Hill Affairs is the proper Department. As observed, Home and Hill Affairs Department has not been made a respondent in this application. Liberty is given to Mrs. Agarwal to add the Principal Secretary, Home and Hill Affairs Department as Respondent No. 2(f).

The matter is admitted. Let the matter appear under the heading 'Hearing' on 1<sup>st</sup> July, 2024. Reply, rejoinder, if any, in the meantime.

BLR

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

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