

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 129 of 2022

Sima Sarkar -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

07
28.11.2022

For the Applicant : Mr. N.C. Mondal,
Mr. C. Chakraborty,
Ms. A. Bharati,
Ld. Advocates.
For the State respondent : Mr. G.P. Banerjee,
Mr. M.N. Roy,
Ld. Advocates.

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.

The prayer in this application is for a direction to the respondent to disburse the amount that the deceased husband was entitled for his medical treatment. Learned counsel for the applicant submits that during the service life of the deceased employee, a good amount of money was spent on medical treatment. Several representations were submitted by the applicant Sima Sarkar, wife of the deceased employee but no response has been received so far. The prayer is for a direction to the respondent as mentioned in his application.

Mr. Banerjee submits that some important facts of the case has not been expressed in the application by the applicant. For instance, after following due procedures, the deceased employee, Subal Sarkar, constable of West Bengal Police was dismissed from service on 11.08.1997. As a dismissed employee, as per rules, the employee was not entitled for any terminal benefits, save and except the provident fund which was disbursed to the employee.

After hearing both the learned counsels, the respondent no. 2 (iii), the Superintendent of Police, Nadia is directed to consider the representations submitted by the applicant on different dates, the last one was dated 31.01.2022 and to pass a reasoned order as per law and communicate the same to the applicant within 2 weeks from the date of his order.

The matter is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM