

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**HON'BLE JUSTICE SOUMITRA PAL,            HON'BLE CHAIRMAN.**

Case No. – OA 148 of 2020.

**MANSURA BIBI - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. S. Chatterjee, Advocate.
<u>8</u> 19.4.2021	For the Private Respondent No. 7	: Mr. A. Prasad, Advocate.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

In this application Mansura Bibi, the applicant has prayed for an order “directing the respondent authorities to issue family pension in favour of the applicant”. Mr. S. Chatterjee, learned advocate appearing on behalf of the applicant submits since a letter dated 16<sup>th</sup> January, 2020 has been filed demanding justice on behalf of the applicant praying for issuance of family pension, direction be issued on the respondents to consider the same.

Mr. A. Prasad, learned advocate appearing on behalf of the private respondent no. 7 disputing the status of the applicant as wife of Sadek Hussain submits the issue has to be decided by a civil Court having jurisdiction and not by the Tribunal.

In reply Mr. Chatterjee submits that there is a circular which postulates that the applicant as well as the private respondent are entitled to share the family pension equally.

Since the private respondent no. 7 disputes the status of the applicant as wife of Sadek Hussain, the Tribunal is unable to enter into the question about the status of the applicant. Hence, no order can be passed on the application. The learned advocate for the parties are at

**ORDER SHEET**

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liberty to move before the appropriate forum for redressal of their grievances, if so advised. I make it clear that I have not gone into the merit of the matter.

(SOUMITRA PAL)  
CHAIRMAN

Skg.

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