

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 166 of 2023

Smt. Soneka Mondal -- VERSUS – The State of West Bengal & Ors.

Serial No. and For the Applicant : Mr. S. Roy, Ld. Advocate.

Date of order For the State respondent : None.

02
19.05.2023

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 counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authorities to release all the death and pensionary benefits to the applicant. It appears that the applicant's father worked as a Group-D staff under the Superintendent, Jangipur Sub-Divisional Hospital. The employee died on 21.06.1968. Earlier, the Tribunal in OA-1636 of 2009 passed an order dated 07.06.2010 to the effect that the respondent no. 2 shall examine the claim of the petitioner regarding release of any unpaid terminal benefits and only thereafter shall release the entitlements after being fully satisfied.

Mr. S. Roy, learned counsel for the applicant submits that despite such a direction by the Tribunal, the respondents have neither released the death benefits nor despite submission of all the relevant documents they have passed any order. Since there was considerable delay after the Tribunal's direction in 2010 in approaching this Tribunal through this application, Mr. Roy submits that the delay was caused due to the pendency of the succession case in the Court of the Learned District Judge or delegate, Jangipur, Murshidabad. The case no. 42 of 2010 filed in the year 2010 was finally disposed of by the Learned Court on 19.04.2022 and the succession certificate was issued on 22.08.2022.

Heard the learned counsel for the applicant, the matter is admitted.

Let the matter appear under the heading "**Hearing**" on **17.10.2023**.

Reply and rejoinder, if any, in the meantime.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)