

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 176 OF 2025

JYOTSHNA KHARIA - Vs – THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

03

12.08.2025

For the Applicant	:	Mrs. Sunita Agarwal Advocate
For the State Respondents	:	Mr. Gourav Halder Advocate
For the Principal Accountant General (A&E) West Bengal	:	Mr. Biswanath Mitra (Departmental representative)

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 and the learned Departmental representative 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 authorities to release the arrear pension and other retiral benefits accruing from the superannuation of her husband. The applicant has also prayed for a direction to the respondent authorities to sanction her the family pension, being the widow of the deceased employee. Bandhanu Kharia was an Health Assistant (Male) and superannuated in 2014. Later, he died on 31.12.2018 without getting his pension and other retiral benefits. Jyotshna Kharia, a widow, filing this application has prayed for a direction to the respondent authorities to release the arrear pension of her husband along with arrears of other retiral benefits, but also a prayer has been made for sanction and release of family pension to her.

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From the records, it is understood that such pension and other retiral benefits could not be sanctioned due to deceased employee's long absence from duty.

Having heard the submissions of the learned counsels and after examination of the records, it is the direction of this Tribunal to the respondent No. 4, the Chief Medical Officer of Health, Alipurduar, to initiate the process of regularization of the absent period of the deceased employee in accordance with rules. This activity of regularization of the absent period be completed within next four months. After completion of this activity, the process for sanction of the arrear pension of the deceased employee, Family Pension to the applicant as the widow of the deceased employee and other admissible retiral benefits may be taken up and sanctioned, if she is found otherwise entitled. The second task of processing and sanction, if admissible, be completed within next three months from the date of completion of the regularization of the absent period. If at any point of time, the respondent finds the co-operation of the applicant is necessary, the applicant be directed to visit his office with relevant documents. This application is, accordingly, disposed of.

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

BLR