

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-192 of 2022

Anjali Roy -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Mitra, Ld. Advocate.

For the State Respondent : Mr. G. P. Banerjee, Ld. Advocate.

For the Pr.AG (A&E), WB : Mr. B. Mitra, Ld. Depttl. Rep.

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30.09.2024

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.

The prayer in this application is for direction to the respondent authorities to sanction and release the family pension as she is the widow of the deceased employee, Bholanath Roy. Bholanath Roy was a Constable under the Asansol-Durgapur Police Commissionerate, who superannuated on 31.12.2019 and died on 30.06.2021. Mrs. Mitra, learned counsel for the applicant has submitted that the applicant, Anjali Roy, being the wife of the deceased employee is entitled for family pension and supporting documents like EPIC, Aadhaar Card, Ration Card are ample proof to establish this relationship. In the representation furnished before the respondent authorities dated 24.01.2022, she has stated that prior to her marriage to the deceased employee, one Uma Roy was the wife who expired on 17.03.1995. Later in the year 1996, the applicant had married the deceased employee, only after the death of the first wife Moumita Roy, a daughter was born from such wedlock on 05.11.1999.

Mr. Banerjee, learned counsel has submitted that the applicant has not furnished relevant documents before the respondent authorities in support of her claim to be the wife of the deceased employee. Mr. Mitra has enlightened that the nominees for the pension are in the names of Prosenjit Roy and Surajit Roy are recorded as sons of the deceased employee from his first marriage with Uma Roy.

Mrs. Mitra, learned counsel in her submission has pointed out that the applicant is the legally wedded wife after the death of the first wife Uma Roy and possess all relevant documents in support of her claim.

Having heard the submissions of the learned counsels and considering

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the facts and circumstances of the case, this application is disposed of by directing the applicant to furnish a representation along with all relevant documents within a period of two (02) months from today including the Marriage Certificate before the respondent no. 3, the Deputy Commissioner of Police (HQ), Asansol-Durgapur Police Commissionerate. If the above mentioned documents are submitted by the applicant within the time limit, the respondent no. 3 is directed to examine her application for family pension and the documents and if satisfied, her prayer for family pension may be processed in accordance with the extant Rules.

Accordingly, this application is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS