

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-213 of 2023**

**Anita Deb -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Mr. K.K. Bhattacharya, Ld. Advocate.

For the State Respondent : Mr. S. Ghosh, Ld. Advocate.

05  
12.09.2024

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

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Mr. Bhattacharya, learned counsel for the applicant shows the envelope containing the copy of this Tribunal's order dated 18.06.2024 addressed to the respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital. Mr. Bhattacharya submits that this envelope was refused to be accepted by the same respondent.

By an order dated 18.06.2024, the Tribunal had directed the respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital to file a report detailing the status of the family pension in favour of the applicant, Kumari Anita Deb. No such report has been filed before this Tribunal.

A copy of Memo. No. 482 dated 10.01.2017 reveals that the Director of Health Services had advised the respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital to furnish few relevant documents relating to a proposal of family pension in favour of the applicant. The Tribunal has not found any document furnished by the respondent no. 7 in this regard.

Again available in this application is a copy of correspondence from the Special Officer (Pension), Directorate of Health Services asking the respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital to submit a report relating to a proposal for family pension to the applicant, Kumari Anita Deb.

The Tribunal has not found any such report.

Also from the submissions of Mr. Ghosh, learned counsel representing the State respondents, no such information is forthcoming as to whether a proposal of family pension in favour of the applicant has been processed and submitted by respondent no. 7 or not.

Form No.

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**Vs.**

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From the above observations, it is clear to this Tribunal that the respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital has been wilfully neglecting not only the advice of his superiors in the Health Directorate but also directions of this Tribunal. He has demonstrated neither any inclination nor any sympathy for the applicant who has been praying for a family pension as the unmarried daughter of Prafulla Kumar Deb who had served this hospital at Uluberia as the Ward Master.

In view of the wilful disobedience by respondent no. 7, the Superintendent, Uluberia Sub-Divisional Hospital, the Tribunal is constrained to pass a direction for his physical appearance before this Tribunal on the next date to explain why he has been so negligent in complying with the direction of this Tribunal as well as of his superior officers in the Health Directorate.

Mr. Ghosh, learned counsel pleads for one final chance for the Respondent No. 7 to comply.

Considered.

Let compliance of previous directions of the Tribunal and of the Health Directorate be presented on the next date, failing which contempt proceedings will be initiated against the recalcitrant Respondent No. 7, the Superintendent of Uluberia sub-divisional hospital.

Let copy of this order be communicated to Respondent No. 7, The Superintendent of Uluberia sub-divisional hospital by the Registry.

Let the matter appear under the heading **“For Orders”** on **18.12.2024**.

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**

CSM/SS