

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 239 OF 2019

SMT. BHAGMANI DEVI - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

For the Applicant : Mr.Soumendra Narayan Ray
Advocate

14
19.02.2024

For the State Respondents : Mrs. Sunita Agarwal
Advocate

For the Private Respondent : Mr.P.S.Das
No.7 Advocate

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 for the contesting parties, the case is taken up for consideration sitting singly.

Rejoinder filed on behalf of the applicant to the affidavit of the private respondents, be kept on record.

The prayer in this application relates to family pension. This applicant claiming to be the wife of the deceased employee, Sanjiva Kumar Gupta has prayed for such family pension. Likewise, another person, Bina Gupta has also claimed for the family pension as widow of the deceased employee.

After hearing the submissions of the learned counsels and examining the records, it is the finding of this Tribunal that the matter in this application is not within the determination of this Tribunal.

Mrs.S.Agarwal, learned counsel has also informs that in the service records, including the service book of the deceased employee, there is neither any mention of the applicant's name, Bhagmani Devi nor that of

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Bina Gupta, the private respondent, also claiming to be the wife of the deceased employee.

Since adjudication of such family dispute is not within the determination of this Tribunal, this application is disposed of without passing any orders. Liberty to both the parties to seek remedy in appropriate forum.

Accordingly, the application is disposed of.

BLR

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