

**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 266 of 2022**

**Jyotsna Das - VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Ms. K. Kulsum,  
Learned Advocate.

04  
10.01.2023

For the State Respondents : Mr. A.K. Das Sinha,  
Learned 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 23<sup>rd</sup> 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.

The prayer in this application is for a direction to the respondents to release family pension as she is a divorced and dependent daughter of the deceased employee.

Ms. K. Kulsum, learned counsel appearing on behalf of the applicant submits that, despite the applicant's representation, the respondent has not yet processed her claim for family pension. Since her mother who was the last recipient of the family pension expired on 15.11.2018, her claim is justified for receiving the family pension. She has also submitted a copy of the MAT Suit No. 43 of 2021, in which, the Learned Additional District Judge of Purba Bardhaman has declared void and dissolved on 22.02.2022, the marital tie between the applicant and her husband.

Mr. A.K. Das Sinha, learned counsel appearing on behalf of the respondents submits a copy of the report of the respondents, a copy has also been served and accepted by the learned counsel of the applicant. In the report, the respondent, the Divisional Forest Officer, Burdwan Division points out the discrepancy on the date of

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representation by the applicant as a divorced daughter which is 08.01.2021 and the divorce decree passed on 15.02.2021. The respondent has also asked the applicant to appear and submit few relevant documents for further processing the matter.

Having heard both the submissions of the learned counsels, the matter is disposed of by directing the applicant to comply with the respondents requirement of submission of documents mentioned in the report as per Memo No. 77/5M dated 09.01.2023 within thirty (30) days from the date of this order. The respondent No. 2 (iv), the District Forest Officer, Burdwan Division is also directed to process the proposal of family pension of the applicant, if eligible and found in order and as per Rule within two (2) months from the date of complete submission of all the documents before him by the applicant.

Accordingly, the matter is disposed of.

**SAYEED AHMED BABA**

**Officiating Chairperson & MEMBER (A)**

H.S