

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 27 OF 2024**

BABY KHAN @ BABI BIBI - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and

Date of order

01

20.02.2024

For the Applicant : Mr.Sankha Ghosh
Mrs.Subarna Das
Advocates

For the State Respondents : Mr. Goutam Pathak Banerjee
Advocate

For the Principal Accountant : Mr.Biswanath Mitra
General (A&E) West Bengal (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 for the contesting parties, the case is taken up for consideration sitting singly.

By filing this application, the applicant has prayed for a direction to the respondent authorities to consider her representation dated 13.10.2023 furnished before the respondent authorities praying for disbursement of Gratuity, Group Insurance and GPF. It is understood that the applicant is the widow of the deceased employee, Md. Rahamul who had served as a Police Driver under the Superintendent of Police, Dakshin Dinajpur. The deceased employee was earlier dismissed from service in the year 2014 and expired on 13.05.2020. She has prayed for disbursement of GPF, GIS and leave salary, which are admissible even though her husband was a dismissed employee.

Mr.G.P.Banerjee, learned counsel submits that this applicant is not the sole applicant claiming for such benefits. Another person Kohinoor Khatun also claiming to be the wife has prayed for such benefits before the respondents along with her minor son.

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THE STATE OF WEST BENGAL & OTHERS.

Having heard the submissions of the learned counsels, this application is disposed of by directing the respondent No. 3, the Superintendent of Police, Dakshin Dinajpur to give an opportunity of hearing to the applicant and to Kohinoor Khatun, claiming to be the another wife of the deceased employee and pass a reasoned order for disbursal of the admissible benefits like GPF, GIS and leave salary, if not yet disbursed as per law and in the light of the Hon'ble Supreme Court Judgement in (2000) 2 SCC 431 (Rameshwari Devi Vs. State of Bihar & Others.)

The whole exercise of giving opportunity of hearing and passing a reasoned order be completed within three months from the date of communication of this order.

Accordingly, the application is disposed of.

BLR

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