

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 306 of 2022

Giribala Barman - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

10
25.01.2024

For the Applicant : Mr. A. Halder,
Learned Advocate.

For the State Respondents : Mr. G.P. Banerjee,
Learned Advocate.

For the Pr. A.G.W.B. Mr. B. Mitra.

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

The applicant has prayed for setting aside the impugned Notification No. 651 dated 05.07.2021. This Memo to be a correspondence from Superintendent of Police, Jalpaiguri addressed to the applicant, Giribala Barman in which the applicant has been advised to submit the following documents :-

- a) Marriage certificate between Suresh Chandra Roy and Smt. Giribala Barman as 1st Wife.
- b) An Original "Affidavit" from Ld. Judicial Magistrate regarding "No Objection" by other 3 (three) sons of Smt. Soneka Roy as 2nd wife of the deceased Govt. Employee.
- c) Detailed report of only daughter of Smt. Giribala Barman 1st Wife.
- d) Written declaration made by the claimant, whether any other benefit received from her deceased husband/husband's family.

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- e) A declaration/Certificate from the Competent Authority regarding dependent parents of the deceased Govt. Employee to ensure they are deemed to be dependent.
- f) Relationship Certificate from the Local Authority.
- g) A certificate issued by Competent Authority for the period of detachment and living separately.

Since it is only a correspondence advising the applicant to submit certain documents, the Tribunal does not find any reason why such communication to be set aside. It is not an adverse order against the interest of the applicant. Unless the documents, as required by the respondent authority, are submitted, the prayers for family pension in this application cannot be processed. The Tribunal directs the applicant to submit these documents as asked for within two months from the date of this order.

Accordingly, the application is disposed of.

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

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