

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- 317 of 2021

Serial No. and Date of order	Sanjay Kumar Saha For the Applicant	:	VERSUS – The State of West Bengal & Ors. Mr. M.Karim, Learned Advocate.
<u>05</u> 03.07.2023	For the State Respondents	:	Mr. S.Ghosh, 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 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

On consent of learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant has prayed for a direction to the respondent to consider and release the death benefits of his father who was a government employee and died in harness. The applicant's father was an employee working as W.T.A. and died in harness on 04.07.1983. Later in the year 2015, the applicant made a representation before the concerned B.D.O. praying for the death benefits. Similar representations were submitted before other relevant respondents from time to time. However, despite such submissions, no action has been taken for releasing the death benefits in favour of the applicant.

Submission of Mr. Ghosh, learned counsel for the respondent is that this case is not maintainable for the fact that the death of the employee occurred in the year 1983. Thus, this application is barred by limitation. Further, Mr. Ghosh submits that records of such an old case is not available in the office.

Mr. Karim, learned advocate for the applicant prays for adjournment to check if any relevant documents can be arranged from

the applicant's side.

Let the matter appear on **16.10.2023** under the heading
Admission Hearing.

SAYEED AHMED BABA
OFFICIATING CHAIRPERSON & MEMBER(A)

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