

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. - OA 346 OF 2022

MAMPI BHATTACHARJEE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	:	Mr. R.K. Acharyya, Mr. L.N. Bhattacharya, Mr. B.B. Maity, Advocates
<u>5</u> 17.08.2022	For the State Respondent Nos. 1 to 5	:	Mr. Sankha Ghosh, Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.496-WBAT / 1E-08/2003 (Pt.-II) dated 4th August, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

As prayed for by Mr. R.K. Acharyya, learned advocate for the applicant, leave granted to amend the cause title of the application so far it relates to the respondent no.3.

In the application, Mampi Bhattacharjee, the applicant, - daughter of late Rajib Bhattacharjee, - has prayed for a direction upon the respondents to disburse family pension, death-cum-retiral benefits, provident fund, group insurance, gratuity along with arrears and interest to be calculated from the date of death of her father, that is, 20th July, 2020. It appears that Rajib Bhattacharjee, the father of the applicant was a Group 'D' employee (Khalasi) under the River Research Institute, Mohanpur, Nadia under the Irrigation and Waterways Department, Government of West Bengal. The father of the applicant unfortunately expired on 20th July, 2020 after rendering twenty years of service. It is submitted by Mr. Acharyya that direction may be issued upon the respondents to disburse family pension, death cum retiral benefits, provident fund amount, group insurance, gratuity and other superannuation benefits with interest.

Mr. Sankha Ghosh, learned advocate appearing on behalf of the State respondents submits that the applicant is the daughter of the first wife of the

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deceased and the private respondent nos. 6, 7 and 8 are son and daughters of the second wife. However, if order is passed, the authorities will consider the matter in accordance with law.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by granting liberty to the applicant to file an application for family pension before the Deputy Director, River Research Institute, Mohanpur, Nadia, the respondent no.3 within four weeks from the date of obtaining a copy of this order downloaded from the website of the Tribunal. If application is filed within the time as stipulated, the respondent no.3 shall dispose of the same by passing a reasoned order to be communicated to the parties within fifteen weeks after giving an opportunity of hearing to the applicant and the private respondent nos. 6, 7 and 8.

The applicant is also granted liberty to file application for disbursement of death-cum-retiral benefits, provident fund, group insurance and gratuity of late Rajib Bhattacharjee before the Deputy Director, River Research Institute, Mohanpur, Nadia, the respondent no.3 within four weeks along with a copy of this order downloaded from the website of the Tribunal. If application is filed within the time as stipulated, the respondent no.3 shall dispose of the same by passing a reasoned order to be communicated to the parties within fifteen weeks after giving an opportunity of hearing to the applicant and the private respondent nos. 6, 7 and 8 and after verifying the records.

SCN.

(SOUMITRA PAL)
CHAIRMAN