

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : HON'BLE JUSTICE SOUMITRA PAL, HON'BLE CHAIRMAN.

Case No. – OA 380 of 2022.

PAPRI SAHA-Versus- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mr. S.K. Mitra, Advocate.
<u>3</u> 17.8.2022	For the State Respondents	: Mr. S. Ghosh, Advocate.
	For the Principal Accountant General (A & E) W.B.	: Mr. B. Mitra, Departmental representative.

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.

In the application Papri Saha, the applicant claiming to be the wife of late Biswaranjan Saha, has prayed for certain reliefs, the relevant portion of which is as under :-

“...a) An order quashing and/or setting aside the impugned order dated 14.03.2022 passed by the Deputy Secretary to the Government of West Bengal, Water Irrigation and Development Department (Annexure “A/2”).

b) An order thereby directing the Respondents to re-consider the case of the Applicant...”.

The impugned order dated 14th March, 2022 is as under :-

“....In referring to your letter dated 11.02.2022, undersigned is directed to inform you that as per the official record, late Biswaranjan Saha, Ex-Muharrir, at the time of his retirement had declared Smt. Alpana Saha as his wife, who therefore is eligible for family pension of late Biswaranjan Saha...”.

In this context, it is appropriate to refer to paragraph 6(h) of the application, which is as under :-

“....The Applicant states that it is necessary to mention that the husband of the Applicant had earlier married to Smt. Alpana Saha, respondent

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no.5, herein, in the year 1981. In February, 2002 the said Smt. Alpana Saha left her matrimonial home and started leaving with her parents. At the later stage of the conjugal life of the Applicant and said Biswaranjan Saha, since deceased, the Applicant came to know from her deceased husband that her husband had filed a Matrimonial Suit before the Learned District Judge at Chinsurah, District – Hooghly for dissolution of marriage solemnized between his husband and said Smt. Alpana Saha. During pendency of the said Matrimonial Suit the husband of the Applicant expired on 08.01.2022. Upon enquiry from the Learned Advocate, who was conducting the said Matrimonial Suit on behalf of her husband, the Applicant came to know that said Smt. Alpana Saha being the Respondent no. 5 herein, did not enter her appearance in the said Matrimonial Suit...”.

Heard Mr. S.K. Mitra, learned advocate for the applicant and Mr. S. Ghosh, learned advocate for the State respondents.

In view of the factual position as noted hereinbefore, no order can be passed on the application. The application is disposed of.

(SOUMITRA PAL)
CHAIRMAN.

Skg.

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