

ORDER SHEET

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 408 of 2023

Joy Mondal -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Ms. A. Kundu,
Ld. Advocate.
For the State respondent : None.

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18.07.2023

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

Affidavit of service filed be kept on record.

The primary prayer in this application is for a direction to the concerned authority to release death-cum-retirement benefits.

It appears that his deceased mother was a GDA in the Primary Health Centre under Diamond Harbour, South 24-Parganas. The deceased employee had died-in-harness in 19.01.1986. The applicant claims that he being the son of the deceased employee is the sole legal heir and thus entitled to receive all the death-cum-retirement benefits of his deceased mother. Attention is drawn to page 58 which is a letter dated 04.08.2021 by which the Director of Health Services had advised the Chief Medical Officer of Health, Diamond Harbour, South 24-Parganas to release all pending pensionary benefits of the deceased employee. However, it has no mention as to who would receive this pending benefits, not even the name of the applicant, Joy Mondal has been mentioned.

Ms. A. Kundu, learned counsel for the applicant prays for accommodation to file relevant documents to substantiate the fact that the applicant is the sole legal heir of the deceased employee by the next date.

Let the matter appear under the heading “**Admission Hearing**” on **11.12.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/HS