

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 411 of 2017

Bela Mallick - Vs - The State of West Bengal & Ors.

Serial No. and  
Date of order

20  
11.03.2025

For the Applicant : Mrs. A. Banerjee,  
Learned Advocate.

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

The applicant has prayed for a direction to the respondent authorities to release her death gratuity, General Provident Fund, Group Insurance and other benefits as the widow of the deceased employee, late Raj Kumar Mallick. Late Raj Kumar Mallick as G.D.A. had died in harness while working in the office of Medical Superintendent-cum-Vice Principal, Calcutta National Medical College & Hospital, Kolkata on 28.04.2014. While hearing this matter, another fact has surfaced that one, Guria Mallick, claiming to be another wife of the deceased employee had filed an application before this Tribunal in OA-416 of 2017. This application was dismissed for default by this Tribunal in its order dated 14.02.2019. A copy of Memo No. 1794 dated 08.09.2014 reveals that the Medical Superintendent-cum-Vice President had passed an order for release of Death Gratuity, Group Insurance and

General Provident Fund in favour of this applicant, Bela Mallick and the mother, Basanti Mallick. Basanti Mallick, the mother of the deceased employee is now deceased. Although, such an order was passed by M.S.V.P. in favour of the applicant but a copy of Memo 352 dated 16.06.2015 from the Director of Health Services shows that since there is another claimant as wife of the deceased employee, both the parties were advised to submit Succession Certificate. In terms of such an advice, this applicant had obtained a Succession Certificate, copy of this certificate annexed with the supplementary affidavit shows it covers Leave Salary, Group Insurance, General Provident Fund and Death Gratuity amounting to total Rs. 4,01,970/- was passed by the Ld. Dist. Judge/Dist. Delegate, Sealdah, South 24 Pgs. on 29.11.02018. Submission of Ms. A. Banerjee, learned counsel for the applicant is that despite furnishing such a certificate, the respondent authorities have not released these benefits to the applicant.

Mr. G.P. Banerjee, learned counsel has been advised to update this Tribunal on the actions taken towards release of such death-cum-terminal benefits to the applicant on the next date of hearing.

Counsel for the applicant is directed to serve a copy of the supplementary affidavit to all the sides, including the private respondent, Guria Mallick along with copy of today's order.

Let the matter appear under the heading **For Orders on 10.07.2025.**

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