

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

	Case No. – <u>OA-417 of 2019</u>
	Joshoda Jana <u>VERSUS</u> – The State of West Bengal & Ors.
Serial No. and Date of order	For the Applicant : Mr. A.R. Roy, Learned Advocate.
<u>12</u> 22.07.2022	For the State Respondents : Mr. G.P. Banerjee, Learned Advocate.

In this application, the applicant Joshoda Jana prays for a direction to the respondent to issue her family pension as wife of the deceased employee Arun Kumar Jana. It appears from her application that she was married with the deceased employee since 1970 and two children were born through this wedlock. In support of her being the wife, the applicant submits copy of EPIC & AADHAR Card of her son Ashis Kumar Jana and Kartick Jana. Since the marriage was solemnized in 1970, marriage certificate is not easily available and thus not presented. The applicant also states that an application under Section 125 of Cr.P.C. against her deceased husband is pending regarding his relationship with another woman namely Malabika Mondal, Respondent No. 6.

Learned advocate for the applicant submits that a direction may be given to the respondent to sanction family pension in the name of the applicant.

Mr. Banerjee submits that it is very evident from the record that the deceased employee lived with another woman and from the statement of the applicant; it appears that the family pension was sanctioned and disbursed to Malabika Mondal. Mr. Banerjee submits that it is a case between two women where the

applicant is claiming to be the legally married wife, it is better that this matter is decided by the appropriate Civil Court.

Having heard both the learned advocates and perusing the records, the application is disposed of by directing the respondent No. 1 to dispose of the matter as per law within a period of 12 (twelve) weeks from the date of receipt of this order to be downloaded from the Website of the Tribunal. This is also to state that I have not gone into the merit of the case and the facts are left open for the respondent to review and pass a reasoned order. Accordingly, OA is disposed of.

SAYEED AHMED BABA
MEMBER (A)

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