

**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 420 of 2022**

**Sri Jatindra Narayan Maitra @ Yatindranarayan Maitra. - Versus - The State of West Bengal & Others.**

Serial No. and Date of order	For the Applicant	: Ms. R. Pal, Advocate.
<u>06</u> 24.04.2023.	For the State Respondents	: Mr. S. Bhattacharyya, Advocate.

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5 (6) of the Administrative Tribunals Act, 1985.

On consent of the learned counsels for the contesting parties, the case is taken up for consideration sitting singly.

The learned counsel for the State files a reply on behalf of the State respondents, a copy has been served upon the applicant also.

The prayer in this application is for a direction to the respondent authorities to release all admissible death benefits of his wife including gratuity and family pension. Late Rita Paul (Maitra) wife of the applicant worked as a Nursing Staff under the Health and Family Welfare Department. A criminal case was registered in the Court of the Additional Sessions Judge, Second Court, Hooghly Sadar against the applicant on 17.04.2015. The learned Additional Sessions Judges found the applicant not guilty of the charges and acquitted him. Thereafter, the applicant furnished several representations before the respondents, one such representation was submitted before the Chief Medical Officer of Health, Hooghly on 29.12.2017. In response to such a representation, the Special Officer (Pension), Directorate of Health Services, West Bengal wrote to the Chief Medical Officer of Health, Hooghly on 19.03.2019 advising him to take suitable action on priority.

Mr. S. Bhattacharyya, learned advocate appearing on behalf of

**ORDER SHEET**

Form No.

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the State respondents refers to para 6 of the reply, in which it is mentioned that despite advice to the applicant to submit relevant documents, the applicant has not complied.

In view of non-cooperation from the applicant, the office of Chief Medical Officer of Health, Hooghly is not in a position to complete the process for releasing the death benefits of the deceased employee to the applicant as a legal heir.

After hearing the learned advocates and considering the facts and circumstances, the application is disposed of by directing the applicant to submit all necessary and relevant documents before the office of B.M.O.H., Haripal B.P.H.C., Hooghly within 8 (eight) weeks from the date of communication of this order. The respondent no. 8 - B.M.O.H., Haripal Rural Hospital, Haripal Block, Hooghly is also directed to submit the proposal to the concerned higher office after processing the death benefits of the deceased employee in favour of the legal heir within 8 (eight) weeks from the date of submission of all the relevant documents by the applicant.

Accordingly, the application is disposed of.

(SAYEED AHMED BABA)  
Officiating Chairperson and Member (A)

S.M./H.S.