

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 428 of 2022**

**Banani Biswas - VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	: Mr. S. Bhattacharjee, Ld. Advocate.
<u>07</u> 08.05.2023	For the State Respondents	: Mr. D. Koley, Ld. Advocate.
	For the Respondent No. 7 (SBI, CPPC)	: Ms. S. Auddy, Ld. Advocate.
	For the Pr. A.G.(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. 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.

At the outset, Mr. B. Mitra, Departmental Representative for the Principal Accountant General (A&E), West Bengal, the respondent Nos. 5 & 6 submits that the said respondent does not have no role regarding release of interest on delayed payment of family pension and therefore, the said respondent be expunged from the array of respondents.

In view of the submission made, let the respondent Nos. 5 & 6 be expunged from the array of the respondents by directing the advocate on record for the applicant to amend the cause title accordingly in course of this day.

On the last date of hearing, it was recorded that the respondent authorities have already disbursed the family pension with LTA for the period 01.12.2011 to 31.01.2020. The same has already been acknowledged by the applicant.

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However, Mr. D. Koley, learned counsel appearing on behalf of the State respondents had prayed for accommodation to seek instruction from the client to know whether the second prayer of the applicant for payment of interest @ 12% p.a. for the arrear family pension from the period 01.12.2011 to 31.01.2020 is payable or not.

After hearing the submissions of the leaned counsels, the matter is disposed of by directing the respondent no. 4 i.e. The Officer in Charge, Goenka College of College of Commerce and Business Administration, Kolkata to consider the admissibility of payment of interest to the applicant for the delayed payment of arrears of family pension during the period 01.12.2011 to 31.01.2020. If such an interest is admissible, the same should be released in favour of the applicant within 12 weeks from the date of communication of this order after passed a reasoned order and the same be communicated to the applicant within 2 weeks thereto.

Accordingly, the matter is disposed of.

SAYEED AHMED BABA  
Officiating Chairperson & MEMBER (A)

H.S