

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 43 of 2023

Smt. Asha Roy -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

02
28.02.2023

For the Applicant : Ms. S. Haque,
Ld. Advocate.
For the State respondent : Mrs. S. Agarwal,
Ld. Advocate.
For the Pvt. Respondent : Mr. G.P. Banerjee,
No. 6 Mr. B.P. Roy,
Ms. A.P. Banerjee,
Ld. Advocates.
For the Pr.AG (A&E), : Mr. B. Mitra,
WB Depttl. Rep.

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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record. Vakalatnama filed by the private respondent no. 6 be kept on record.

The prayer in this application is for a direction to restrain the respondents not to disburse family pension to the private respondent no. 6, Parul Roy. The learned counsel for the applicant submits that the applicant Asha Roy is the wife of the deceased employee deserves to be given the family pension instead of private respondent no. 6, Parul Roy.

The matter is admitted.

The point of maintainability is kept open.

Let the matter appear under the heading “**Reply, Rejoinder and Objection**” on **11.05.2023**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS