

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. –OA 468 of 2019

PRIYABRATA DE - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mrs. Saswati Chatterjee, Advocate
<u>14</u> 27.04.2022	For the Respondent	: Mr. Soumendra Narayan Ray, Advocate

The matter is taken up by the single Bench pursuant to the order contained in the Notification No.118-WBAT/1E-08/2003 (Pt.-II) dated 11th February, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

As prayed for by Mrs. Saswati Chatterjee, learned advocate for the applicant, leave granted to correct the typographical error in paragraph 6(a) of the application.

In this application, Priyabrata De, the applicant, son of Guru Prasad De, an Ex-Driver of M.R. Bangur Hospital, Kolkata, has prayed for certain reliefs, the relevant portion of which is as under:-

“(i) *An order directing the concerned respondent to release the retiral benefits to the applicant on account of death of his father Late Guru Prasad De, Ex-Driver under the Concerned Respondent.*”

It appears that the father of the applicant expired on 25th April, 2017. The mother of the applicant predeceased her husband on 4th February, 2013. It has been stated that though the father of the applicant received pension month by month, however, 40% of commuted pension is yet to be released. Submission is though on 3rd April, 2019 the application was filed by the applicant before the Superintendent, M.R. Bangur Hospital, Kolkata 700 033, the respondent no.3, it has not been granted. Aggrieved, this original application has been filed. Though

ORDER SHEET

Form No.

PRIYABRATA DE

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it appears that the directions were issued for filing of reply, no reply has been filed.

Heard Mrs. Chatterjee and Mr. Soumendra Narayan Ray, learned advocate for the respondents.

Since the applicant has prayed for payment of retiral benefits of his father, considering the facts and circumstances of the case, the application is disposed of by directing the Director of Health Services, Government of West Bengal, Kolkata, the respondent no.2 to dispose of the representation dated 3rd April, 2019, being annexure "A-5" to the application by passing a reasoned order to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal, after giving an opportunity of hearing and after verifying the records to be furnished by the Superintendent, M.R. Bangur Hospital, Kolkata 700 033, the respondent no.3, and after making necessary enquiry. If it is found that the applicant is entitled to the superannuation benefits, as prayed for, the same shall be disbursed within eight weeks from the date of passing the reasoned order and on compliance of necessary formalities by the applicant. In that event, the respondent no.2 shall intimate about the formalities to be completed with within a week from the date of passing the reasoned order.

SCN.

(SOUMITRA PAL)
CHAIRMAN