

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

Mr. Sayeed Ahmed Baba, Officiating Chairperson and Hon'ble Member (A).

Case No. – OA 478 of 2022.

SRI AMLAN ROY AND ANOTHER- VERSUS-THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

06
14.12.2023

For the Applicants : Mr. M. Nandi,
Mr. B. Bhattacharya,
Mr. D.K. Sarkar,
Learned Advocates.

For the State respondents : Mr. G.P. Banerjee,
Learned Advocate.

For the Principal Accountant General : Mr. B. Mitra,
(A & E) W.B. 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 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 counsel for the contesting parties, the case is taken up for consideration sitting singly.

The applicants in this application are the brother and sister of the deceased employee, Kalyan Kumar Roy, who was working as LDA in the office of Superintendent, K.S.Roy T.B. Hospital. The employee had died during service as a bachelor on 22.05.2007. The legal heirs of the deceased employee, the present applicants had submitted several representations before the Superintendent for sanction and disbursement of the death benefits and terminal dues pertaining to the deceased employee- the Death Gratuity, Leave Salary, Group Insurance etc. Along with Succession Certificate.

Submission of Mr. Nandi is that despite several representations, which was also followed by a legal notice on 16.03.2022, the respondent authority has neither sanctioned these benefits nor intimated the status of the representations.

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It also appears from the memo dated 01.04.2022 by Senior Accounts Officer in the office of the Principal Accountant General (A & E), West Bengal that no such case is lying in their office.

Appearing on behalf of the State respondents, Mr. G.P. Banerjee, learned counsel submits since the employee died in the year 2007 and since this is an old case where the death of employee had occurred in the year 2007, the office will make every endeavour to collect and process the proposals of sanction of death benefits to the legal heirs, if they are found eligible, as per rules.

Having heard the submissions of the learned counsels and after examination of the records, this application is disposed of by directing the respondent no. 3 – Superintendent, K.S.Roy T.B. Hospital, Jadavpur, Kolkata to examine the prayer of the applicants and submit the proposal for death and terminal benefits of the deceased employee as per rules to these applicants, if they are found to be eligible, within three months from the date of communication of this order. Let documents of this application be treated as their application before the respondent no. 3. The applicants are also directed to supply any relevant document, if asked for by the respondents and extend their cooperation.

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

Skg.