

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 519 of 2023**

**Anupriya Tirkey -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

01  
20.09.2023

For the Applicant : Ms. M. Roy Dey, Ld. Advocate.

For the State respondent : Mrs. S. Mitra, Ld. Advocate.

For the Pvt. Respondent : Mr. P.C. Pal Chowdhury, Ld. Advocate.

Nos. 4 and 5 : Mr. G. Pal Chowdhury, Ld. 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.

Affidavit of service filed be kept on record.

Vakalatnama filed on behalf of the private respondent nos. 4 and 5 be kept on record.

The applicant, Anupriya Tirkey claiming to be the wife of the deceased employee, Denis Anup Lakra has sought the remedy of getting the family pension. In this regard, to substantiate her point of being the legally married wife, she has submitted a Certificate of Marriage issued by the Marriage Officer, Ranchi, Jharkhand. As it appears from this certificate, the applicant's marriage with Denis Anup Lakra was registered on 25.05.2018. Besides this certificate, the applicant has enclosed two photographs which according to the applicant are the photographs of them as the married couple. In response to the prayer in this application and submission of Ms. Roy Dey, Mr. Pal Chowdhury submits that the Marriage Certificate so submitted is not in conformity with the marriage norms of their society. As per their custom, such a marriage should have been solemnised in a Church and such a certificate should have been issued by the concerned Pastor. Further, Mr. Pal Chowdhury also informs that the second marriage with the applicant is void in law since the first marriage was in subsistence, which was dissolved only in August, 2018 after issuance of the alleged Marriage Certificate with Anupriya Tirkey. Mr. Pal Chowdhury prays for accommodation to file a reply controverting the claims of the petitioner by the next date.

The matter is admitted.

Let the matter appear under the heading "**Hearing**" on **12.02.2024**.

Reply and rejoinder, if any, in the meantime.

CSM/SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**