

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – O.A. 523 of 2017

SEFALI SARKAR – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. Anita Kaunda, Advocate
<u>15</u> 08.06.2022	For the Respondents	: Mr. Saurav Bhattacharjee, Advocate
	For the Principal Accountant General (A&E), West Bengal	: Mr. Biswanath Mitra, Departmental Representative

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.

In this application, Sefali Sarkar, the applicant, has prayed for several reliefs, the relevant portion of which is as under:

- “a) Direction upon the concerned authorities of the respondent to sanction the family pension in favour of the applicant with effect from 29.06.2015, since the husband of the applicant died on 28.06.2015.*
- b) Direction upon the concerned authorities of the respondent to release the entire arrear family pension with interest in favour of the applicant with effect from 29.06.2015, since the husband of the applicant died on 28.06.2015. ;*
- c) Direction upon the concerned authorities of the respondent to release the current family pension in favour of the applicant with effect from 29.06.2015, since the husband of the applicant died on*

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28.06.2015;”

It appears that the applicant claims to have married Bholanath Sarkar, Ex-Farm Worker, Grade – III, under State Livestock Farm, Kalyani, District Nadia which was solemnised on 22nd Falgun, 1380. It appears that the relationship of the applicant with Bholanath Sarkar, soured and an application under Section 125 of the Criminal Procedure Code was filed for maintenance before the Learned Judicial Magistrate, First Class, Ranaghat, Nadia, being Misc Case No. 211 of 2006 and the learned Magistrate was pleased to direct Bhola Sarkar to pay Rs.1000/- per month to the applicant. Subsequently, Bhola Sarkar expired on 28th June, 2015.

Mrs. Anita Kaunda, learned advocate appearing on behalf of the applicant submits that since the applicant is the wife of Bhola Sarkar and as her representation dated 14th December, 2015, addressed to the Joint Director of Animal Resource Development, State Livestock Farm, Kalyani, Nadia, appearing at page 48 of the original application, is yet to be considered, appropriate order may be passed directing the respondents to grant family pension.

Mr. Saurav Bhattacharjee, learned advocate appearing on behalf of the State respondents, referring to the service book of Bhola Sarkar and the reply filed, submits that the name of Smt. Putul Sarkar appears in the nomination form filled up by Bhola Sarkar and as nowhere the name of the applicant, Sefali Sarkar appears, no order may be passed for grant of family pension to Sefali Sarkar.

Heard Mr. Biswanath Mitra, Departmental Representative for the Principal Accountant General (A&E), West Bengal.

Since in the nomination form in the service book of Bhola Sarkar, the name of Putul Sarkar appears and the name of the applicant does not appear, no

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order is passed on the application. The application is disposed of. The applicant is at liberty to apply before the appropriate forum for redressal of her grievance, if any, and if so advised.

Let the original service book be returned to Mr. Bhattacharjee.

SCN.

(SOUMITRA PAL)
CHAIRMAN

WEST BENGAL ADMINISTRATIVE TRIBUNAL