

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

**Case No. –OA-539 of 2020**

**Sudha Rani Minj. - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. D. Karan, Advocate.
<u>4</u> 31.3.2021	For the State Respondents	: Mr. G. P. Banerjee, Mr. S. Ghosh, Advocates.
	For the Principal Accountant General (A&E), West Bengal.	: Mr. B. Mitra, Departmental Representative.

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24<sup>th</sup> December, 2020 issued in exercise of the powers conferred under sub section (6) of section 5 of the Administrative Tribunals Act, 1985.

In this application, Sudha Rani Minj - the applicant, wife of late Pancham Minj, a Blue Printer in the office of the executive Engineer, Teesta Left Bank Division, Oodlabari in the district of Jalpaiguri, - has prayed for certain reliefs, the relevant portion of which is as under :-

*“a) An order be passed directing the responding authorities to grant and disburse the retiral benefits of the deceased employee late Pancham Minj to the applicant without any further delay alongwith interest @ 12% per annum for the period from 01/06/2006 to till the date of disbursement of the retiral benefits;*

*b) An order be passed directing the responding authorities to grant and disburse the family pension to the applicant alongwith interest @ 12% per annum from 01/06/2006 to till the date of disbursement; ”*

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It is submitted by Mr. D. Karan, learned advocate for the applicant that though the husband of the applicant had died-in-harness on 31<sup>st</sup> May, 2006 and thereafter, several representations were made before the respondent authorities to disburse the retiral benefits of husband of the applicant, no action has been taken. Aggrieved this application has been filed.

Mr. G. P. Banerjee, learned advocate for the State respondents appearing along with Mr. S. Ghosh, learned advocate, submits, on instruction, that the husband of the applicant during his service career was suspended from 27<sup>th</sup> August, 2002 to 24<sup>th</sup> November, 2003 and though it was subsequently withdrawn, since the suspension period is yet to be regularised, delay has been caused in granting the retiral benefits to the applicant. Submission is though certain documents were sent to the Accountant General Office, the same has been returned on 2<sup>nd</sup> February, 2018 with certain queries. At present, steps have been taken for answering the queries and for preparation of papers for grant of retiral benefits including family pension of the applicant.

Heard Mr. B. Mitra, the departmental representative for the Principal Accountant General (A&E), West Bengal.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the original application is disposed of by directing executive Engineer, Teesta Left Bank Division, Oodlabari in the district of Jalpaiguri - the respondent no. 6 to prepare the necessary documents for grant of family pension and other retiral benefits to the applicant by 22<sup>nd</sup> May, 2021 and shall send

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the same to the Principal Accountant General (A&E), West Bengal – the respondent no. 7 within a week thereafter. Upon receipt of the same, the respondent no. 7 shall pass necessary orders for grant of family pension and other retiral benefits in accordance with law within eight weeks, to be communicated to the applicant and to the respondent no. 6.

(SOUMITRA PAL)  
CHAIRMAN

S.M.