

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 567 OF 2021

REBENNARA BEWA - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

For the Applicant

: Mr.Shahan shah
Advocate

03
28.02.2022

For the State respondents

: Mr.Goutam Pathak Banerjee
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.

Let affidavit of service filed today, be kept on record. Since despite service of notice none appears on behalf of the applicant, Mr.G.P.Banerjee, learned advocate, who normally appears on behalf of the State respondents, is requested to appear in this matter. Let a copy of the original application be served on him, which is served and accepted. The Legal Remembrancer, West Bengal, is directed to regularise the appointment of Mr.Banerjee.

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

“ a) The respondents, their men, agents and sub-ordinates and each one of them be directed to grant family pension in favour of the applicant in terms of Memorandum No. 620-F(Pen) dated 29.06.2006 issued by Special Secretary to the Government of West Bengal, Finance Department, Pension Branch with effect from 01.01.2018, immediately.

Vs.

Case No. : OA 567 OF 2021

THE STATE OF WEST BENGAL & ORS.

b) the respondents, their men, agents and sub-ordinates and each one of them be directed to consider and take a decision in respect of the representation dated 16.04.2021 submitted by the applicant before the respondent No. 2 to 4 through speed post on 19.04.2021 and 20.04.2021 respectively within a time bound period.”

It appears that the father of the applicant, - Aulat Sheikh, an employee of the West Bengal Government had superannuated on 31st January, 1998 and thereafter, he was drawing pension. The father of the applicant expired on 22nd February, 2003. Thereafter Akatan Bibi, the mother of the applicant was drawing pension till her death on 1st January, 2018. It has been stated that the applicant was married to one Hasan Sk., who unfortunately expired on 12th March, 1989 as a result, she was compelled to come back to her paternal home and stay with her parents. It has been stated that as she was fully dependent on her parents and as she has no income after the death of her father and mother, the applicant is facing financial hardship. Though the applicant made representation regarding grant of family pension on 22nd April, 2019 it has not been considered. Thereafter, another representation was furnished on 16th April, 2021 which is yet to be considered. It is submitted by Mr.S.Shah, learned advocate for the applicant that since the applicant, the widow, is entitled to family pension, appropriate direction may be issued upon the respondent authorities for release of family pension after considering all the representations.

Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents submits that, if directed, the respondent authorities will take steps

Form No.

REBENNARA BEWA

Vs.

Case No. : **OA 567 OF 2021**

THE STATE OF WEST BENGAL & ORS.

in accordance with law.

Mr.B.Mitra, the Departmental representative for the Principal Accountant General (A&E) West Bengal and Senior Accounts Officer, Office of the Accountant General (A&E) West Bengal, the respondent nos. 2 and 3 adopts the submission of Mr.Banerjee.

Having heard learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Block Development Officer, Tehatta-II Block at Palashipara, Nadia, to dispose of the representations dated 22nd April, 2019 and 16th April, 2021 for grant of family pension to the applicant, 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, after verifying the records and after making necessary enquiry.

(SOUMITRA PAL)
CHAIRMAN

BLR