

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 574 of 2022

Nadera Bibi - VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mrs. P. Chakraborty, Ld. Advocate.
<u>06</u> 12.10.2023	For the State Respondents	: Mrs. S. Agarwal, Ld. Advocate.
	For the Respondent No.6	: Mr. A. Ahammed, Ld. Advocate.
	For the Pr. A.G.(A&E), W.B.	: Mr. B. Mitra, 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 counsels for the contesting parties, the case is taken up for consideration sitting singly.

The applicant claiming to be the wife of the deceased employed Md.Alauddin has prayed for family pension in her favour. Hearing the submission of the learned counsels and perusing the records in this application, the Tribunal has come to learn that such family pension has already been sanctioned in the name of Anwara Begum, the private respondent no. 6 in this application. It appears that Anwara Begum name was recorded in the nomination paper of the deceased employee. Further, it is also learnt Anwara Begum, being the first wife had married the deceased employee in the year 1977 whereas this applicant Nadera Bibi married the deceased employee in 1987. From the records and the submissions, the Tribunal is not satisfied that the applicant has any justifiable ground to claim for such family pension. The existence of Anwara Bibi as the first wife of the deceased employee is also not contested by the

ORDER SHEET

Form No.

Nadera Bibi

Vs.

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applicant. In fact, the validity of the marriage of the applicant in 1987 that with the deceased employee during the subsistence of the first wife is questionable.

In view of the above submission, this application is disposed of without any order.

SAYEED AHMED BABA
Officiating Chairperson & MEMBER (A)

H.S