

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 598 of 2023**

**Archana Chatterjee -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant

: Mr. G. Halder,  
Ld. Advocate.

For the State Respondent  
Nos. 1, 2, 6, 7, 8 & 9

: Ms. R. Sarkar,  
Mr. S. Debray,  
Mrs. A. Bhattacharya,  
Ld. Depttl. Reps.

For the Pvt. Respondent No.  
11

: Mrs. P. Sasmal,  
Ld. Advocate.

For the Pr.AG (A&E), WB

: Mr. B. Mitra,  
Ld. Depttl. Rep.

05  
11.03.2025

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.

Ms. R. Sarkar, Learned Departmental Representative presents a memo. no. 681 dated 07.03.2025 and submits that as indicated in this correspondence, the Learned Legal Remembrancer, West Bengal has clearly opined that in terms of Rule 7 of Death-cum-Retirement Benefits Rules, 1971 read with Rule 5(4) of West Bengal Services (Duties, Rights and Obligations of Government Employees), Rules 1980, second wife is not entitled for family pension. Smt. Niyati Chatterjee, the private respondent no. 11 in this application is the second wife of the deceased Government employee and has been receiving family pension. Let copy of memo no. 681 dated 07.03.2025 be kept on record. Copy has been served upon all the sides.

Let the matter appear under the heading "**For Orders**" on **28.04.2025**.

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

SS