

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	: Ms. R. Sarkar, Mrs. A. Bhattacharya, Depttl. Reps.
<u>01</u> 26.09.2023	For the Pvt. Respondent No. 11	: Mrs. P. Sasmal, Ld. Advocate.
	For the Pr.AG (A&E), WB	: 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.

Affidavit of service filed be kept on record. Vakalatnama filed be also kept on record.

The prayer in this application is for direction to the respondent authorities to grant family pension to the applicant. As per the application, the applicant is the wife of the deceased employee. K.K. Chatterjee who was an employee under the Land & Land Reforms Department in the post of Night Guard. It appears from the application that by an order of this Tribunal in OA 678 of 2017 dated 27.11.2018, the respondent, District Land & Land Reforms Officer, Birbhum was directed to consider the representation of the applicant, Archana Chatterjee and passed the final order relating to the family pension. This application has been filed challenging such an order pass by the District Land & Land Reforms Officer which was not in favour of the applicant. While returning the family pension proposal based on an order of the District Land & Land Reforms Officer, Birbhum and the Sub-Divisional Land & Land Reforms Officer, Birbhum, the office of the Principal Accountant General (A&E) referred to the provisions under the Hindu Marriage Act, 1955 and G.O. No. 54/F (Pen) dated 13.01.1997. The office of Principal Accountant General (A&E), West Bengal on 02.05.2022 had also asked the Sub-Divisional

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Land & Land Reforms Officer, Rampurhat, Birbhum to clarify the observations made in an earlier reference dated 29.04.2022.

Let the State respondents clarify whether the letters of Principal Accountant General (A&E), West Bengal had been responded or not. If so, let a copy of the replies be filed before this Tribunal on the next date. Let also a copy of the Reasoned Order passed by the District Land & Land Reforms Officer, Birbhum dated 16.04.2020 be filed on the next date.

Let copies filed by Mr. Mitra, learned Departmental Representative on behalf of the Principal Accountant General (A&E), West Bengal be kept on record.

The matter is admitted.

Let the matter appear under the heading "**Hearing**" on 24.01.2024.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

SS/SM