

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**THE HON'BLE SAYEED AHMED BABA, OFFICIATING CHAIRPERSON AND ADMINISTRATIVE MEMBER,
Case No. – OA 606 OF 2023**

SULEKHA BANERJEE - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

01
03.10.2023

For the Applicant : Ms.Joyita Ray
Advocate

For the State Respondents : Mr.Subit Kumar Mondal
Advocate

For the Principal Accountant : Mr.Biswanath Mitra
General (A&E) West Bengal (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 and the learned Departmental representative for the contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed today be kept on record.

The prayer in this application is for a direction to the respondent authorities to sanction and disburse family pension to the applicant being the widow of deceased Kinkar Chandra Banerjee. It appears from the submissions of the learned counsels and records of this application that the deceased though initially nominated the applicant in the service papers, but due to unknown reasons, he did not fill up the name of his wife, the applicant as his nominee at the time of his superannuation. In this regard, the applicant has furnished a representation before the Director, Department of Consumer Affairs praying for family pension.

Appearing on behalf of the applicant, Ms.J.Ray, learned counsel submits that the applicant is the only legally wedded wife of the

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deceased employee and lived a harmonious married life with the deceased husband. During their marriage, no case was filed against her spouse relating to any marital discord.

Appearing on behalf of the State respondents, Mr.S.K.Mondal, learned counsel submits that the office records have to be checked to ascertain whether she is the legal heir of the deceased employee and based on relevant documents, the respondents will come to a decision.

Appearing on behalf of the Principal Accountant General (A&E) West Bengal, Mr.B.Mitra, informs that at present, no such family pension proposal is pending with them.

The matter is admitted. Let the matter appear under the heading "For Orders" on 12th October, 2023.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON AND MEMBER (A)

BLR