

**ORDERSHEET**  
**WESTBENGALADMINISTRATIVETRIBUNAL**

BikashBhavan,SaltLake,Kolkata-700091.

**Present-**

**THEHON'BLESAYEEDAHMEDBABA,OFFICIATINGCHAIRPERSONANDADMINISTRATIVEMEMBER,**

**Case No.-OA606OF2023**

**SULEKHABANERJEE -Vs- THESTATEOFWESTBENGAL&OTHERS.**

SerialNo.and  
Dateoforder

05  
31.07.2024

For the Applicant	:	Ms. Joyita Ray Advocate
For the State Respondents	:	Mr. Subit Kumar Mondal 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. 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.

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 submitting the pension papers. 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

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

From the submissions of *the* learned counsels and the records, the Tribunal is satisfied that, Sulekha Banerjee was the wife of the deceased employee, Kinkar Chandra Banerjee. From the letter dated 06.06.2023 by Assistant Director, Consumer Affairs, Bankura, it is clear in para 5 that Sulekha Banerjee's name appears in the nomination papers of GPF and Death Gratuity. At the time of his superannuation, he had intimated the office that he had consciously recorded 'Nil' in the pension papers. It appears at the time of filing the pension papers, he purposely preferred not to nominate the name of his wife. A copy of Sulekha Banerjee's Election Commission of India's Identity Card, it is clear that the name of Kinkar Chandra Banerjee appears as husband.

Since the applicant has furnished a representation dated 09.03.2023 praying for family pension, a direction is issued to respondent no. 2, the Director, Department of Consumer Affairs and Fair Business Practices to examine her claim for family pension as wife of the deceased employee, Kinkar Chandra Banerjee and after consideration of her statement and documents and after being satisfied and if she is otherwise entitled, family pension be sanctioned to her within three (03) months from the date of communication of this order. The applicant may be given an opportunity of hearing and submission of documents in her claim.

Accordingly, this application is **disposed of**.

**(SAYEEDAHMEDBABA)**  
**OFFICIATINGCHAIRPERSONANDMEMBER(A)**

CSM/SS