

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

**The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
Hon'ble Sayeed Ahmed Baba, Member (A)**

Case No. - OA 633 of 2021

Smt. Jogmaya Biswas - **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. S. Agarwal, Learned Advocate.

For the State Respondent : Mr. A. De,

Mrs. R. Sarkar, Departmental Representatives.

03

25.11.2021

The instant application has been filed mainly praying for arrear remuneration of the applicant's mother as a legal heir, According to the Departmental Representative, nothing can be paid unless and until Legal Heir Certificate could be submitted before the appropriate authority along with the application. During the course of the hearing, the counsel for the applicant has submitted that the respondents may consider this OA as representation of the applicant and in the meantime, she will file the Legal Heir Certificate before the authority. However, the respondents may be directed to make payment thereafter within stipulated period. The Departmental Representative has no objection to reconsider the case of the applicant subject to the availability of the Legal Heir Certificate.

In view of the above, the respondent no. 3 is directed to consider the case of the applicant treating this OA as a representation of the applicant. As the applicant has undertaken to file Legal Heir Certificate. She is also directed to make available Legal Heir Certificate to the respondent within two weeks from the date of receipt of this order and the respondent no. 3 is directed to consider her case as per rules and make payment if she is entitled within a period of 10 (ten) weeks from the date of receipt of the Legal Heir Certificate.

Accordingly, OA is **disposed of**.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

HS

**SAYEED AHMED BABA
MEMBER (A)**

**Mrs. URMITA DATTA (SEN)
MEMBER (J)**