

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

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

Case No. – OA-638 of 2019

Sila Mani Lama & Anr. **VERSUS – The State of West Bengal & Ors.**

Serial No. and Date of order	For the Applicant	:	Mr. M.N. Roy, Mr. G. Halder Learned Advocates.
<u>02</u> 08.02.2022	For the State Respondent	:	Mr. G.P. Banerjee, Learned Advocate.
	For the Pr. A.G.W.B.	.	Mr. B. Mitra.

The instant application has been filed basically praying for release of pensionary benefits with interest to the applicant due to the death of Harka Bahadur Lama.

During the course of hearing, the counsel for the applicant has drawn our attention to the death certificate of the deceased employee, who died on 28.07.2000 at the age of 56 years as well as succession certificate issued by the competent Court of Law dated 06.08.2016.

Though no reply has been filed, however, the counsel for the respondent has submitted that another claimant is there in this regard.

In view of the above, Respondent No. 4, Commissioner of Commercial Taxes is directed to consider the claim of the applicant in the light of the succession certificate issued by the competent Court of Law as well as service book of the deceased employee and to take a decision after verifying the documents, after giving an opportunity of personal hearing and make payment thereof and to communicate the same within a period of twelve weeks from the date of receipt of this order. Accordingly, OA is disposed of with no order as to costs.

Since the circumstances beyond control, the Registry is unable to

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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.

SAYEED AHMED BABA
MEMBER (A)

URMITA DATTA (SEN)
MEMBER (J)

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