

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 65 OF 2024

SMT. FARIDA IMAM - Vs - THE STATE OF WEST BENGAL & OTHERS.

Serial No. and
Date of order

For the Applicant : Mrs. Priya Sasmal
Advocate

03

10.01.2025

For the State Respondents : Mrs. Sunita Agarwal
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.

By filing this application, the applicant has prayed for a direction to the respondent authorities to sanction her family pension. From the submission of the learned counsels and the records, it appears that the husband of the applicant was a Doctor working under the Administrative Medical Officer, E.S.I. Directorate (MB) who died on 09.06.2021. The deceased employee had superannuated on 31.11.1996 and till his death on 09.06.2021 was receiving his pension. Submission is that after the death of the employee, the applicant being the widow has not received her family pension. Attention is drawn to a copy of PPO No. P12/(C)163/P issued in favour of the deceased employee having the name of the applicant - Farida Imam, as beneficiary of family pension in the event of the death of the employee. It has also been submitted that the applicant on a number of occasions furnished representations before

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the Principal Accountant General and the Branch Manager, Bank of India praying for release of her family pension.

Mrs. Agarwal, learned counsel and Mr.B.Mitra have enlightened this Tribunal that in such cases when the family pension is to be released, prayer is required to be furnished before the sanctioning authority. In this case, such a prayer before the Administrative Medical Officer, E.S.I. Directorate would have been helpful.

The Tribunal finds that the concerned respondents in this case, being the Director E.S.I. (MB) and the Administrative Medical Officer, E.S.I.(MB) have not been added as respondent authorities.

Liberty is given to the applicant side to add the Director, E.S.I. (MB) as the respondent No. 7 and Administrative Medical Officer as the respondent No. 8 and serve copies of this application along with copies of today's order. Further, liberty is given to the applicant side to address the representation before the respondent No. 8, Administrative Medical Officer praying for release of her family pension.

Let copies of these representations be filed before this Tribunal on the next date. Mrs.Agarwal has been requested to take instructions and update this Tribunal of any action taken by the respondent authorities for release of the family pension. The matter is admitted. Let the matter appear under the heading 'Hearing' on 21st March, 2025.

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

BLR