

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Administrative Member

Case No. – OA 671 of 2021

SUNIL KUMAR DAS & ORS. – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicants	: Mrs. Sunita Agarwal, Advocate
	For the State Respondents	: Mr. Gautam Pathak Banerjee, Advocate
<u>5</u> 21.03.2022	For the Principal Accountant General (A&E), West Bengal	: Mr. Biswanath Mitra, Departmental Representative

Heard the learned advocates.

The applicant no.1, Sunil Kumar Das, son-in-law of deceased Indrani Biswas, has in the application prayed for certain benefits, relevant portion of which is as under:

(a) “release the death-cum-retired benefit of the deceased employee”.....

The applicant has also served a legal notice to the State claiming retiral benefits as he is the only successor of the deceased employee, Indrani Biswas. Learned advocate for the applicant submits that despite submission of the representation, the State respondent has not taken any action so far.

Learned advocate for the State, Mr. Gautam Pathak Banerjee submits that as the son-in-law of the deceased Indrani Biswas he is not entitled for either family pension or death gratuity as per the Section 7 (1) (e) (1) and (2) of the West Bengal Services (Death-cum-Retirement Benefits) Rules, 1971. He is only entitled for release of G.P.F., Group Insurance of the deceased Indrani Biswas, if found eligible.

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THE STATE OF WEST BENGAL & ORS.

To claim such benefits, he has to first establish himself as the legal and rightful heir to the deceased employee in the appropriate authority. The applicant is at liberty to submit necessary prayers in this regard at the appropriate authority.

SCN.

The application is disposed of.

(SAYEED AHMED BABA)
MEMBER (A)

WEST BENGAL ADMINISTRATIVE TRIBUNAL