

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

**Present-**

**The Hon'ble Justice Soumitra Pal, Chairman**

**Case No. - OA 684 OF 2021**

**SMT. RENU ROY - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicants	:	Mr. Sobhan Majumder, Advocate
<u>9</u> 05.08.2022	For the State Respondents	:	Mrs. Sunita Agarwal, 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.496-WBAT / 1E-08/2003 (Pt.-II) dated 4<sup>th</sup> August, 2022 issued in exercise of the powers conferred under section 6(5) of the Administrative Tribunals Act, 1985.

In this application, Smt. Renu Roy, the applicant, - daughter of Kajal Das, who expired while working as Group 'D' employee in the office of Chanchal Sub-Divisional Hospital at Chanchal, Malda under the Department of Health and Family Welfare, Government of West Bengal,- has prayed for certain reliefs, the relevant portion of which is as under:

- “(i) Directing the respondent authorities concerned, each one of them, their men, agents, servants, subordinates and/or assigns to forthwith release / disburse the Family Pension in favour of the present applicant alongwith statutory interest on and from the date of death of the mother of the present applicant;
- (ii) Directing the respondent authorities concerned, each one of them, their men, agents, servants, subordinates and/or assigns to forthwith release / disburse the Death Gratuity for delay in making payment in favour of the present applicant;”

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It is submitted by Mr. Sobhan Majumder, learned advocate for the applicant that Kajol Das had expired on 1<sup>st</sup> December, 2016 and the issue of grant of family pension is pending since 2017. Submission is that the respondents may be directed to grant family pension at the earliest.

Mrs. Sunita Agarwal, learned advocate for the State respondents submits, on instruction, as there are mistakes in the application for family pension, unless the mistakes are rectified, family pension papers cannot be processed.

Mr. Biswanath Mitra, departmental representative for the Principal Accountant General (A&E), West Bengal submits that by an intimation dated 2<sup>nd</sup> August, 2022, issued by the Senior Accounts Officer / Pen.VII addressed to the Assistant Chief Medical Officer of Health, Chanchal Sub-Division, Malda, has notified that the family pension case will be processed on receipt of clarifications / documents / compliance of observations as mentioned therein. While giving the file ID no.2242271801 for resubmitting the pension papers, request has been made for early action.

Let a copy of the intimation dated 2<sup>nd</sup> August, 2022 filed be kept on record and a copy of the same be furnished to learned advocates for the parties which are served and accepted.

Having heard the learned advocates for the parties and in view of the intimation dated 2<sup>nd</sup> August, 2022, the application is disposed of by granting liberty to the applicant to comply with the stipulations contained in the letter dated 2<sup>nd</sup> August, 2022 within a fortnight from the date of obtaining a copy of this order downloaded from the website of the Tribunal and the papers for family pension shall be presented before the Assistant Chief Medical Officer of Health, Chanchal Sub-Division, Malda, the respondent no.4. After receipt of the said documents the said respondent no.4 within a fortnight shall send it to the office of the Principal Accountant General (A&E), West Bengal, the respondent no.6. Upon receipt of the same the said respondent no.6 shall give necessary approval

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in writing within eight weeks. After approval is granted, the State respondents including the respondent no.4 shall grant family pension to the applicant within four weeks from the date of compliance of formalities.

SCN. The prayer for grant of interest cannot be accepted as it has been found that the applicant has committed mistakes while processing the family pension papers.

(SOUMITRA PAL)  
CHAIRMAN

WEST BENGAL ADMINISTRATIVE TRIBUNAL