

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

Present-

**HON'BLE JUSTICE SOUMITRA PAL,  
HON'BLE SAYEED AHMED BABA,**

**HON'BLE CHAIRMAN &  
ADMINISTRATIVE MEMBER.**

Case No. – OA 744 of 2021.

**PURNIMA MAJUMDER -VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. and Date of order	For the Applicant	: Mr. R.K. Acharyya, Mr. B.B. Maity, Advocates.
<u>3</u> 20.12.2021.	For the State Respondents	: Mr. G.P. Banerjee, Advocate.
	For the Principal Accountant General A & E) W.B.	: Mr. B. Mitra, Departmental representative.

The matter has appeared in the supplementary cause list.

Let affidavit of service filed today be kept on record.

Since despite service of notice, none appears on behalf of the State respondents. Mr. G.P. Banerjee, learned advocate, who normally appears on behalf of the State authorities, is requested to appear in this matter. Let a copy of the application be served on Mr. Banerjee by Mr. R.K. Acharyya, learned advocate for the applicant, which is served and accepted. The Legal Remembrancer, West Bengal is directed to regularise the appointment of Mr. Banerjee.

In this application Purnima Majumder, – the applicant,- daughter of Gouranga Chandra Majumder, a Government employee, who had retired from service on 31<sup>st</sup> May, 1985 and had expired on 10<sup>th</sup> December, 2003, - has prayed for certain reliefs, the relevant portion of which is as under :-

*“.....a) To direct the respondent No. 2 & 3 to disburse the family pension along with arrear amount of applicant;*

*b) To direct the respondent No.2 & 3 to disburse the family pension along with arrear amount with 18% interest from death of the father of the applicant i.e. 10-12-2003 to disburse the same to the bank account of the applicant;*

*c) To direct the respondent no. 2 & 3 to consider and*

*dispose of the application being Annexure "P-5" to this application and to the family pension along with arrear amount of the applicant;*

*d) To direct the respondent No.2 & 3 to disburse the family pension including arrear amount along with interest @ 18% per annum of the applicant from the date of death of the father of the applicant i.e. on 10-12-2003 to the date of actual disbursement....;"*

Gouranga Chandra Majumder, the father of the applicant expired leaving behind two sons, two married daughters and one unmarried daughter, that is the applicant, as his heirs and legal representatives. It has been stated that Chameli Majumder, wife of Gouranga Chandra Majumder predeceased her husband on 23<sup>rd</sup> October, 1998. Incidentally, it appears that Gouranga Chandra Majumder was drawing pension, as evident from the copy of the Pension Payment Order, being annexure P-4 to the application. It is stated by the applicant since it is evident from the memo dated 13<sup>th</sup> July, 2010 and memo dated 10<sup>th</sup> April, 2014 that the applicant is eligible for family pension, appropriate order may be passed for grant of family pension along with interest.

Mr. G.P. Banerjee, learned advocate appearing on behalf of the State respondents submits, if directed, the respondent authorities will consider the matter and shall take steps in accordance with law.

Mr. B. Mitra, the departmental representative for the Principal Accountant General (A & E) West Bengal, Kolkata, - the respondent no. 2(2) submits on instruction that the forwarding memo dated 10<sup>th</sup> April, 2014 was replied to by the said respondent no. 2(2) by directing the Sub Divisional Officer, Kalyani, Nadia, the respondent no. 2(5) to forward the pension case in terms of the relevant memo.

Heard learned advocates for the parties.

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Perused the memo dated 13<sup>th</sup> July, 2010 and 10<sup>th</sup> April, 2014, appearing at pages 41 and 42 of the application issued by the Sub Divisional Officer, Kalyani, Nadia, - the respondent no. 2(5). In view of the submission on behalf of the Principal Accountant General (A & E) West Bengal, the respondent no. 2(2), the application is disposed of by directing the said respondent no. 2 (5) to take steps to act in terms of the memo issued by the Principal Accountant General (A & E), West Bengal, Calcutta, - the respondent no. 2(2) by passing a reasoned order to be communicated to the said respondent no. 2(2) with a copy to the applicant, within eight weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal. The Principal Accountant General (A & E) West Bengal, - the respondent no. 2(2) after receiving the reply from the respondent no. 2(5) shall issue necessary order for grant of family pension to the applicant in accordance with law within eight weeks from the date of receiving reply from the Sub Divisional Officer, Kalyani, Nadia. Since we find that the applicant is eligible for family pension as the respondent no. 2(5) in memo dated 10<sup>th</sup> April, 2014 had requested the respondent no. 2(2) that “pension payment order in favour of Purnima Majumder may kindly be issued at the earliest from his end”, the respondent nos. 2(2) and 2(5) shall grant interest to the applicant at the rate of six percent on the accumulated family pension.

Skg.

(SAYEED AHMED BABA)  
MEMBER(A)

(SOUMITRA PAL)  
CHAIRMAN.

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(SAYEED AHMED BABA)  
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