

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member(J)

Case No. – OA-752 of 2021

Sonalina Chatterjee VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order
For the Applicant : Ms. R. Pal,
Learned Advocate.
For the State Respondent : None.

02
24.02.2022

Affidavit of service has been filed. Let it be kept with the record.

The instant application has been filing praying for following relief

A direction do issue upon the concerned respondent authorities to forthwith take a decision in terms of Annexure-F herein, to declare the candidature of the applicant as valid for compassionate appointment, to recommend, accommodate and appoint her thereafter under compassionate ground in a suitable post according to her qualification, if otherwise found eligible, without loosing any further time as she is entitled to upon premature death of her husband while the case falls under the died- in- harness category.

A direction do issue upon the concerned respondent authorities to forthwith release all monetary benefits including gratuity, interest @ 18 % p.a. upon the gratuity from date of death till payment, family pension and all other retiral benefits to the applicant considering about his 18 years 09 months service.

ORDER SHEET

Form No.

Sonalina Chatterjee

Case No. OA-752 of 2021

Vs.
The State of West Bengal & Ors.

A direction to issue upon the concerned respondent authorities to forthwith produce and/or cause to be produced entire record relating to the applicant's case and on such production being made, render conscionable justice, upon perusing the same.

And/or pass such other or further order or orders as this Hon'ble Tribunal may deem fit and proper.

During the course of hearing, the counsel for the applicant has prayed for leave to withdraw the prayer (a) with regard to compassionate appointment with a leave to file a separate application as the applicant wants to get pensionary benefits at present. Prayer is allowed.

As per the applicant, her husband died on 22.01.2018, who was a Group-D employee. Thereafter, she made application to the Principal Secretary, Public Works Department praying for release of death-cum-retirement benefit along with family pension, which is received by the authority on 11.07.2019. Subsequently, she made another application to the Principal Secretary, P.W.D. of 17.09.2019. However, till date no death benefit as well as family pension has been provided to her.

None for the respondent though affidavit of service has been filed.

During the course of hearing, the counsel for the applicant has submitted that it would suffice her purpose if the competent authority would be directed to release pensionary benefits as per rules within a stipulated period of time.

In view of the above, competent authority of the respondents are directed to release admissible retiral benefits as per rules by way of passing a speaking and reasoned order with follow up action and to communicate the same within a period of eight weeks from the date of receipt of this order.

ORDER SHEET

Form No.

Sonalina Chatterjee

Vs.

Case No. **OA-752 of 2021**

The State of West Bengal & Ors.

Accordingly, OA is disposed of with no order as to costs.

Since the circumstances beyond control, the Registry is unable to 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.

URMITA DATTA (SEN)
MEMBER (J)

sc

ORDER SHEET

Form No.

Sonalina Chatterjee

Case No. OA-752 of 2021

Vs.

The State of West Bengal & Ors.

sc

WEST BENGAL ADMINISTRATIVE TRIBUNAL