

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 767 OF 2023

SARASWATI PAL - Vs - THE STATE OF WEST BENGAL & OTHERS

Serial No. and
Date of order

01
08.01.2024

For the Applicant : Mr.Manujendra Narayan Roy
Mr.Ranjit Kumar Mondal
Advocates

For the State Respondents : Mr.Gourav Halder
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.

Affidavit of service filed today be kept on record.

The prayer in this application is for a direction to the respondent authorities to disburse regular family pension and arrear family pension. It is submitted that by an order of the appropriate Court, the applicant, Saraswati Pal has been declared as the legally married wife of late Gourhari Pal.

Responding to her representation, the respondent authorities had asked the applicant to submit a proof of claim to be the legal widow of the deceased employee along with an affidavit to the effect that she will not claim any interest or any arrear of family pension in future. On the other hand, Mr.B.Mitra, learned Departmental representative informs

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that as available from the records, the deceased employee had not mentioned name of any legal heir for the benefit of family pension.

Since an affidavit has been affirmed and filed in not claiming any interest on the delayed family pension, Mr.M.N.Roy, learned counsel is not pressing for the prayer pertaining to any interest on delayed payment of family pension.

Since a representation has been filed by the applicant praying for family pension on 19.09.2023 before the respondent No. 4, the Deputy Director of Sericulture, Suri, Birbhum, is therefore, directed to consider such representation for granting family pension in accordance with law within a period of four months. The judgement of the Civil Court relating to her status be considered.

Accordingly, the application is disposed of.

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

BLR