

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman.

Case No. - OA 80 of 2021

Madhumita Kundu (Roychowdhury) - **VERSUS** - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Advocate.
	For the State respondents	: Mr. S.N. Ray, Advocate.
<u>3</u> 19.04.2021		

The matter is taken up by the single Bench pursuant to the Notification No. 949-WBAT/2J-15/2016 dated 24th December, 2020 issued in exercise of the powers conferred under sub-section (6) of Section 5 of the Administrative Tribunals Act, 1985.

Let affidavit of service filed be kept on record.

In this application, Madhumita Kundu (Roychowdhury) – the applicant has prayed for certain reliefs, the relevant portion of which is as under –

“..... An order be passed upon the respondent authorities directing the respondents to release the family pension in favour of the applicant and her minor daughter Moupia Kundu, being the family of the deceased employee Benoy Krishna Kundu as well as arrear of the family pension forthwith.”

It appears that Benoy Krishna Kundu, since deceased, was an employee in the Health and Family Welfare Department under the Government of West Bengal. During his life time Benoy Krishna Kundu retired from service and had been getting pension. That the wife of Benoy Krishna Kundu namely Radha Kundu expired on 13th December, 2001. Thereafter Benoy Krishna Kundu married the applicant on 8th May, 2002 and the marriage was registered on 20th August, 2002. After the second marriage, a family child namely Moupia Kundu was born on 10th July, 2003. It has been stated that Benoy

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Krishna Kundu had expired on 10th June, 2020 and thereafter the applicant had filed an application on 17th October, 2020 for grant of family pension before the Block Medical Officer of Health , Barrackpore – II Block, North 24 Parganas, the respondent no. 6.

It is submitted by Mrs. S. Agarwal, learned advocate for the applicant since an application has been filed for grant of family pension, as evident from page 31 of the application, appropriate direction may be issued upon the State respondents to consider and grant the same.

Mr. S.N. Ray, learned advocate for the State respondents submits, if directed, the respondent authorities will consider the same in accordance with law.

Having heard the learned advocates for the parties and as prayed for on behalf of the applicant, the application is disposed of by directing the Block Medical Officer of Health , Barrackpore – II Block, North 24 Parganas, the respondent no. 6 to dispose of the representation dated 17th October, 2020 for grant of family pension by passing a reasoned order to be communicated to the parties within 15 weeks from the date of presentation of a copy of this order downloaded from the internet / website after giving an opportunity of hearing to the applicant, after making necessary enquiry and after verifying the records.

I make it clear that I have not gone into the merits of the matter and all the points are left open to be dealt with by the respondent no. 6.

(SOUMITRA PAL)
CHAIRMAN

Rajib

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