

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 800 of 2021

Diamanti Sonar -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mr. M. Hossain, Ld. Advocate.

For the State respondent : Mr. G.P. Banerjee, Ld. Advocate.

For the Respondent No. 6 : Mr. S.K. Nandi, Ld. Advocate.

08
05.12.2023

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 for the contesting parties, the case is taken up for consideration sitting singly.

Today, Mr. Hossain, learned counsel for the applicant files a supplementary affidavit enclosing copies of documents in support of the claim that the applicant, Diamanti Sonar is the wife of the deceased employee. Let this supplementary affidavit be kept in file and let copies be served upon the learned counsels of other parties.

Having heard the submissions of the learned counsels and after examining the records, the Tribunal observes that the primary issue in this matter relates to claim of the applicant of being the wife of the deceased employee. On the other hand, based on the documents including the nomination papers, the respondent authority had sanctioned family pension in the name of the Private Respondent No. 6, Ila Sonar. The copy of PPO already filed in this application by the Private Respondent No. 6 already has the name of Ila Sonar as wife and recipient of family pension. Such family pension has been disbursed to her since 20.08.2021. Since this matter relates to a family or marital dispute, the Tribunal is of the view that the applicant should seek remedy in the appropriate Court for her claim to be the legally married wife of the deceased employee. Therefore, this matter not being the determination of this Tribunal, this application is disposed of without passing any order but giving liberty to the applicant to approach the appropriate Court for such remedy, if so advised.

SS

Accordingly, the matter is **disposed of**.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)