

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- 800 of 2023

Parbati Roy - Vs - The State of West Bengal & Ors.

Serial No. and
Date of order

05
10.09.2024.

For the Applicant

:

Mr. S. Bhattacharjee,
Mr. K. Biswas,
Learned Advocates.

For the State Respondents

Ms. R. Sarkar,
Mr. S. DebRoy,
Mrs. A. Bhattacharya,
Learned Departmental Representatives.

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.

The applicant being wife of the deceased employee, Prasad Kumar Roy has prayed for a direction to the respondent authorities for payment of family pension and other retiral benefits. The deceased employee had served as an Amin under S.D.L & L.R.O, Barrackpore, North 24 Pgs. Due to his involvement in a criminal case, he was served with a suspension order dated 07.08.2000, he remained under suspension for the next 12 years and superannuated attaining the age of 60 years and died on 19.12.2021. The applicant being widow of the deceased employee had been praying before the respondent authorities for sanction of family pension in her favour. But due to pendency of the criminal case in which the name of the deceased husband features, the respondent authorities hesitated not to sanction such family pension. By a letter No. 319 dated 13.05.2024, the Pension Sanctioning Authority and the Dy. Director & Sub Divisional Land & Land Reforms Officer, Barrackpore had asked the applicant to inform the current status of this criminal case - 6/2000 in the Learned Court of A.C.J.M, Barrackpore. Mr. Bhattacharjee, learned counsel for the applicant submits that the prayer before the Ld. A.C.J.M. for expunging the name of the deceased husband from the criminal case has been

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THE STATE OF WEST BENGAL & OTHERS.

approved. Such order of the Ld. A.C.J.M. dated 02.07.2024 is presented before this Tribunal.

Submission for the applicant's side is that now since the name of the deceased employee has been expunged from such criminal case, the respondent authorities may be directed to process and sanction family pension and other retiral benefits to the applicant.

Mr. Bhattacharjee has been advised to furnish a representation before the Respondent No. 4 stating the facts and enclosing copy of the order of the Ld. A.C.J.M. Barrackpore. Ms. Sarkar, Learned Departmental Representative submits that if such a direction is given to process the family pension and other retiral benefits, the same will be complied if all other eligible criterias are fulfilled.

In view of the facts narrated above by the learned counsel for the applicant, this application is disposed of by directing the Respondent No. 4, the Dy. Director & Sub-Divisional Land and Land Reforms Officer, Barrackpore, North 24 Pgs. to consider the representation when it is filed before him by the applicant within six weeks from the date of this order. If such representation is filed within six weeks by the applicant, the same may be processed and suitable follow-up actions be taken within a reasonable time, preferably within six months from the date of submission of such representation. Accordingly, the application is disposed of.

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

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