

ORDER SHEET

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present : **HON'BLE JUSTICE SOUMITRA PAL,**      **HON'BLE CHAIRMAN &**  
**HON'BLE SAYEED AHMED BABA,**      **ADMINISTRATIVE MEMBER.**

Case No. – OA 817 of 2021.

SMT. RIKTA CHAKRABORTY – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	: Mrs. S. Agarwal, Advocate.
<u>2</u> 24.12.2021	For the State Respondents	: Mr. M.N. Roy, Advocate.
	For the Principal Accountant General (A & E) W.B.	: Mr.B. Mitra, Departmental representative.

Let affidavit of service filed be kept on record.

In the application Rikta Chakraborty,- unmarried daughter of Arun Behari Chakraborty, wireless operator attached to Tehatta Police Station, who had superannuated in the year 1980 and was drawing pension and had expired on 8<sup>th</sup> January, 2007 leaving behind his widow, four sons and five daughters including the applicant, has prayed for certain reliefs, the relevant portion of which is as under :-

*“...a) A mandatory order directing the respondents to forthwith grant family pension to the applicant as an unmarried daughter of the deceased pensioner in consonance with the order/notification being Memo No. 138-F (Pen) dated 3<sup>rd</sup> March, 2008 on and from 20<sup>th</sup> April, 2021 together with all arrears therefrom and with interest @ 10% per annum on demise of her mother on 19<sup>th</sup> April, 2021 and to act in accordance with law;...”*

It appears after the death of the father of the applicant, Rekha Chakraborty, his widow was drawing family pension. Rekha Chakraborty expired on 19<sup>th</sup> April, 2021. Thereafter, the applicant, stated to have an annual income of twelve thousand rupees, and dependant on

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her parents, had filed an application dated 27<sup>th</sup> August, 2021 before the Superintendent of Police, Krishnanagar Police District, West Bengal. – the respondent no. 2(iii) for grant of family pension, appearing at page 23 of the application. It is submitted by Mrs. S. Agarwal, learned advocate for the applicant that since the applicant is in financial distress, the respondents may be directed to grant family pension after considering the representation dated 27<sup>th</sup> August, 2021 in the light of the memorandum dated 3<sup>rd</sup> March, 2008 appearing at page 22 of the application.

Mr. M.N. Roy, learned advocate for the State respondents submits, if directed the respondent authority shall consider the issue regarding grant of family pension to the applicant in accordance with law.

Mr. B. Mitra, the departmental representative for the Principal Accountant General (A & E) West Bengal, - the respondent no. 2(v) adopts the submission of Mr. Roy.

Having heard the learned advocates for the parties and considering the facts and circumstances of the case, the application is disposed of by directing the Superintendent of Police, Krishnanagar Police District, West Bengal, - the respondent no 2(iii) to dispose of the representation dated 27<sup>th</sup> August, 2021, by passing a reasoned order in the light of the memorandum dated 3<sup>rd</sup> March, 2008, to be communicated to the parties within fifteen weeks from the date of presentation of a copy of this order downloaded from the website of the

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Tribunal, after giving an opportunity of hearing, after verifying the records and after making proper enquiry about the other heir, of late Arun Behari Chakraborty as evident from the legal heir certificate issued by Tehatta Gram Panchayat, Tehatta, Nadia appearing at page 21 of the application and if necessary after giving the brothers and sisters of the applicant, as mentioned in the “Legal Heir Certificate”, an opportunity of hearing and after verifying the records.

(SAYEED AHMED BABA)  
MEMBER(A)

(SOUMITRA PAL)  
CHAIRMAN.

Skg.