

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Mrs. Urmita Datta (Sen), Member (J),

Case No. OA – 830 of 2021

Karuna Pandit - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order <u>5</u> 31.03.2022	For the Applicant	: Mr. P. Debnath, Ms. P. Basu, Advocates
	For the Respondents	: Mr. R.K. Mondal, Advocate
	For the A.G. (A& E), West Bengal	: Mr. B. Mitra, Departmental Representative

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 118-WBAT/1E-08/2003 (Pt. – II) dated 11th February, 2022 issued in exercise of the powers conferred under Section 6(5) of the Administrative Tribunals Act, 1985.

With the consent of all the parties, the matter has been taken up for hearing.

The counsel for the applicant today has submitted that as per the letter dated 08.03.2022, the applicant has already sent four copies of specimen signature in separate sheets to the Executive Engineer, P. W. D., Diamond Harbour Division though post on 21.03.2022. The Departmental representative for the Pr. A.G. (A & E), West Bengal has submitted that unless and until the concerned department would comply with the observation made in the letter dated 08.03.2022, they are not in a position to make payment of family pension to the applicant. However, the counsel for the respondent has submitted that he has no instruction from the department in this regard.

Heard the parties and perused the records. It is noted that vide Memo dated 08.03.2022 Senior Accounts Officer / Pen.XII had asked for certain documents. which are as follows:

“I) The pension case will be processed on receipt of

clarifications/documents/compliance of observation as detailed below:

(a) Sanction for family pension in favour of Smt. Karuna Pandit in Annexure – III may please be furnished.

(b) In terms of Rule 7(I)(e)(2) of WBS (DCRB) Rules-1971, dependant parents are eligible for family pension. Hence a certificate may be issued by Pension Sanctioning Authority if her income ceiling for (dependent) for the purpose of family pension is below Rs. 9000/- p.m.in accordance with the G.O. no. 270-F(Pen) dt. 08/09/2021.

(c) Four copies of specimen signature of the incumbent in four separate sheet may be furnished.

II) Pension papers / Sr. Book of LATE PRASANTA KUMAR PANDIT is returned herewith, with the request to resubmit the same along with the above documents / information, to finalize the pension case.

III) Kindly quote the pensioner file id. No. 1200305712 while resubmitting Pension papers and for all future correspondence.”

From the perusal of the above, it is noted that the concerned department has to supply or comply with the observation with regard to item No. (a) & (b), whereas the incumbent has to furnish four copies of specimen signature in four separate sheets before the authority and which he had sent it to the Executive

ORDER SHEET

Form No.

Karuna Pandit

Case No. **OA – 830 of 2021**

Vs.

THE STATE OF WEST BENGAL & ORS.

Engineer, P.W.D., Diamont Harbour Division.

In view of the above, the State respondent is granted last chance to comply with the all observation of the Pr. A.G. (A & E), West Bengal and to take appropriate steps for making payment of family pension and to make appropriate submission by the next date.

Let the matter be listed on **05.05.2022** under the heading '**Hearing**'.

Since for circumstances beyond control, the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.

URMITA DATTA (SEN)
MEMBER (J)

A.K.P.