

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Bikash Bhavan, Salt Lake, Kolkata – 700 091.**

**Present-**

**The Hon'ble SAYEED AHMED BABA, Member(A)**

**Case No. – OA-909 of 2021**

**Malati Chakraborty **VERSUS** – The State of West Bengal & Ors.**

Serial No. and Date of order For the Applicant : Mr. A.K. Hazra,  
Learned Advocate.

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28.03.2022 For the State Respondent : Mr. G.P. Banerjee,  
Learned Advocate.

For the Pr. A.G.W.B. MM. B. Mitra. Mr. B. Mitra.

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 11<sup>th</sup> February, 2022 issued in exercise of the powers conferred under Section 6 (5) of the Administrative Tribunals Act, 1985.

Affidavit of service has been filed. Let it be kept with the record.

None appears on behalf of the State. Mr. G.P. Banerjee who normally appears on behalf of the State respondents, is requested to appear in this matter. The Ld. L.R. is directed to regularize the appointment of Mr. Banerjee.

Heard counsels for all the parties.

Counsel for the applicant submits that Smt. Malati Chakraborty, wife of the deceased employee, Kamal Kumar Chakraborty alias Kamal Chakraborty who was the employee of the Cooperation Department has filed this petition praying for release of family pension. In support of his contention, counsel for the petitioner has submitted the marriage registration certificate, divorce application and orders of the Additional Sessions Judge, Barasat and Maintenance Order of Chief Judicial Magistrate, Barasat. This submission has been made to support his points that Smt. Malati Chakraborty is the wife of late Kamal Kumar Chakraborty @ Kamal Chakraborty.

The petitioner Smt. Malati Chakraborty, after the death of

**ORDER SHEET**

Form No.

Malati Chakraborty

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said deceased employee Kamal Kumar Chakraborty, had submitted a representation for family pension to the Cooperation Department. The respondent authority has not yet considered this application.

The counsel for the state submits that if the Court directs the Respondents to consider the application, they would do so.

In view of the above, The Additional Chief Secretary, Respondent No. 1, Cooperation Department is directed to consider the representation of the applicant as per rules and take a final decision for release of family pension of the applicant within a period of five weeks from the date of receipt of the order. Accordingly, OA is disposed of with no order as to costs.

Since the 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.

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SAYEED AHMED BABA  
MEMBER (A)