

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Justice Soumitra Pal, Chairman

Case No. – OA 926 OF 2021

JULI DEY - VERSUS - THE STATE OF WEST BENGAL & ORS.

Serial No. and
Date of order

03
28.02.2022

For the Applicant : Mr.Manujendra Narayan Roy
Mr.Gourav Halder
Advocates

For the State respondents : Mr.Goutam Pathak Banerjee
Advocate

For the Principal Accountant General (A&E) West Bengal : Mr.Biswanath 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.

In this application, Juli Dey, the applicant has prayed for several reliefs, the relevant portion of which is as under:

“ (a) An order do issue directing the concerned respondent authorities to forthwith grant and disburse the family pension, GIS, GPF, death gratuity, leave encashment amount, arrear salaries and other accrued service benefits to your applicant herein in accordance with law, within stipulated time.

(b) A further order to issue directing the concerned respondent authorities to forthwith grant and disburse the family pension, GIS, GPF, death gratuity, leave encashment amount, arrear salaries and other accrued service benefits to your applicant herein with statutory banking interest till the actual date of realization of the aforesaid legitimate dues.”

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It is submitted by Mr.M.N.Roy, learned advocate for the applicant that since the husband of the applicant who was a Dental Surgeon had expired on 27th September, 2020 due to Covid-19 while treating the Covid patients as frontline warriors, the applicant is entitled to an ex-gratia of rupees ten lakhs, family pension, GIS, GPF, death gratuity, leave encashment amount, arrear salaries and other accrued service benefits along with interest and compassionate appointment. Though a sum of rupees ten lakhs as ex-gratia has been released and appointment on compassionate ground is being processed by the State respondents, however, family pension and other benefits are yet to be released.

It is submitted by Mr.B.Mitra, the Departmental Representative for the Principal Accountant General (A&E) West Bengal, Kolkata, the respondent no. 6 that the eligibility of the applicant with regard to admissibility of pensionary benefits of Late Sandeep Kumar De, the husband of the applicant, was considered by the Indian Audit and Accounts Department and a report dated 21st February, 2022 has been furnished before the Assistant Chief Medical Officer of Health, Bishnupur, Bankura. Let a copy of the report filed be kept on record. Submission is if the formalities are complied with by the Assistant Chief Medical Officer of Health, appropriate steps would be taken for release of family pension and other benefits expeditiously.

Mr.G.P.Banerjee, learned advocate for the State respondents supports the stand of the respondent no. 6.

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 Chief Medical Officer of Health, Bishnupur, Bankura, the respondent no. 4 to comply and take steps with regard to the report dated 21st February, 2022

ORDER SHEET

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and reply to the respondent no. 6 within four weeks from the date of presentation of a copy of this order downloaded from the website of the Tribunal. After the reply is sent to the respondent no. 6, the said respondent no. 6 shall take steps and pass necessary orders for grant of family pension and other benefits to the applicant within fifteen weeks on compliance of all formalities, if any, by the applicant.

(SOUMITRA PAL)
CHAIRMAN

BLR