

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

**The Hon'ble JUSTICE RANJIT KUMAR BAG
& The Hon'ble DR. SUBESH KUMAR DAS**

Case No – CCP 76 OF 2017

Shibani Pal & Others Vs Shri Manoj Pant, Secretary, Land and Land Reforms and Refugee Relief and Rehabilitation.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">10</p> <hr/> <p>09.08.2018</p>	<p><i>For the Applicants : Mr. S. Ghosh, Mr. R.K. Mondal, Learned Advocates.</i></p> <p><i>For the Contemnor/O.P. : Mr. G.P. Banerjee, Learned Advocate. Mr. S. Bhattacharya, Mrs. R. Sarkar, Departmental Representatives.</i></p> <p style="text-align: center;"><i>Liberty is given to the advocate on record for the applicant to amend the cause title of the contempt application for substitution of name of the contemnor no. 3 by incorporating the name of the present incumbent in course of this day.</i></p> <p style="text-align: center;"><i>The report submitted on behalf of the contemnor no. 3 today is kept on record. Having heard Learned Counsel representing both parties and on consideration of the background of non-compliance of the direction of the Tribunal by the contemnor, we find that the delay in settling the retirement benefits of the deceased government employee took place for unauthorised excess service rendered by him from December 01, 1991 to May 21, 1993 which has been ultimately regularised by issuing order of May 04, 2018 by the Joint Secretary to the Government of West Bengal, Department of Land & Land</i></p>	

ORDER SHEET

Shibani Pal & Others

Form No.

Vs.

Shri Manoj Pant, Secretary, Land and Land Reforms and Refugee Relief and Rehabilitation.

Case No. CCP 76 OF 2017

Reforms with the concurrence of the Finance Department of the Government of West Bengal. What we have understood from the submission made by Learned Counsel representing both parties that some documents and information are yet to be furnished before the pension sanctioning authority for passing sanction order about retirement benefits of the deceased government employee. On consideration of the materials on record, we find that Benoy Kumar Pal the deceased employee died living behind the following legal heirs :

- i) Wife - Shrimati Sibani Pal*
- ii) Son - Asish Kumar Pal*
- iii) Son - Amal Kumar Pal*
- iv) Son - Bibhas Kumar Pal*
- v) Daughter - Archana Pal (Dey)*
- vi) Daughter - Anjali Pal (Mondal)*
- vii) Daughter - Aparna Pal (Dutta)*

Since there is no dispute with regard to the legal heirs of the deceased employee, the pension sanctioning authority is directed not to insist on production of succession certificate for passing order for sanction of all retirement benefits of the deceased employee.

The applicants are directed to furnish information and copy of documents about Bank Account of all legal heirs of the deceased government employee and specimen

ORDER SHEET

Shibani Pal & Others

Form No.

Vs.

Shri Manoj Pant, Secretary, Land and Land Reforms and Refugee Relief and Rehabilitation.

Case No. CCP 76 OF 2017

signature and single photo graph of each of the legal heirs of deceased employee within a period of four weeks from this date before pension sanctioning authority.

The contemnor no. 3 Sub-Divisional Land & Land Reforms Officer, Purba Bardwan, North is directed to sanction family pension in favour of the Shrimati Sibani Pal, wife of the deceased government employee Benoy Kumar Pal within a period of four weeks from the date of the order. The said contemnor no. 3, Sub-Divisional Land & Land Reforms Officer is directed pass order for releasing (i) balance amount of General Provident Fund (ii) Life Time Arrears of pension (iii) amount of Gratuity (iv) amount of Leave Encashment and (v) amount of Group Insurance, if not already released, within a period of eight weeks from the date of receiving information and documents from the applicants as mentioned above.

The contemnors are directed to file final compliance report supported by an affidavit on the next date of hearing.

*List the matter under the heading “**Hearing**” on **20.12.2018**.*

Let a plain copy of this order be supplied to both parties by Monday positively.

(S.K.DAS)
Member (A)

(R.K.BAG)
Member (J)

H.S

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