

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

The Hon'ble Justice Ranjit Kumar Bag  
& The Hon'ble Dr. Subesh Kumar Das

Case No – **OA 1008 of 2019**

**Bela Rani Bera** vs The State of West Bengal & Ors.

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
05 <hr/> 30.09.2020	<p>For the Applicant : Mr. S. Dutta, Mr. G.P. Banerjee, Learned Advocates.</p> <p>For the Respondent : Mr. S.K. Mondal, Learned Advocate.</p> <p>For the A.G., W.B. : Mr. B. Mitra, Depttl. Representative.</p> <p>The applicant has prayed for direction upon the respondents to make payment of commuted value of pension and gratuity of the husband of the applicant.</p> <p>The husband of the applicant, Mahima Ranjan Bera retired from the post of Medical Technologist, Haldia Sub-Divisional Hospital on April 30, 2005. The pension and retirement benefits of the husband of the applicant were withheld for his involvement in a criminal case. The process for payment of pension and retirement benefits was initiated after acquittal of the husband of the applicant from the criminal charge. While the pension of Mahima Ranjan Bera was under process, he died on June 15, 2016. The contention of the applicant is that she has received pensionary benefits of her husband Mahima Ranjan Bera including family pension, but she has not yet received commuted value of pension and gratuity of her deceased husband. The report submitted by the A.G., W.B. indicates that on December 28, 2018 Senior Accounts</p>	

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Officer of the office of the A.G., W.B. authorised the respondent no. 7, Treasury Officer, Contai in the district of Purba Midnapore for payment of L.T.A. of commuted value of pension to the tune of ₹ 2,17,782/- and L.T.A. of death-cum-retiring gratuity to the tune of ₹ 2,27,420/-.

Having heard Learned Counsel representing the respective parties and the Departmental Representative of the respondent A.G., W.B. we find that the amount of Gratuity and commuted value of pension of the deceased husband of the applicant was not disbursed by the concerned Treasury Officer as it was not decided with clarity whether the amount will be disbursed by the Treasury Officer of the Contai Treasury Office or the Treasury Officer of Haldia Treasury Office. Since by issuing letter dated December 28, 2018, Senior Accounts Officer of the respondent A.G., W.B. has given authority to the respondent no. 7, Treasury Officer, Contai Treasury to disburse the amount of commuted value of pension and Gratuity of the deceased husband of the applicant, we are of the view that the said respondent no. 7 should disburse the amount of commuted value of pension and gratuity within a period of next 04 (four) weeks in favour of the applicant, if the said amount was not disbursed in her favour in the meantime.

Under the above circumstances, we direct the respondent no. 7, Treasury Officer, Contai Treasury, District Purba Midnapore

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to disburse the L.T.A. of commuted value of pension to the tune of ₹ 2,17,782/- and L.T.A. of death-cum-retiring gratuity to the tune of ₹ 2,27,420/- to the applicant Bela Rani Bera, wife of the deceased Mahima Ranjan Bera within a period of 04 (four) weeks from the date of communication of the order, if the said amount of money was not disbursed in favour of the applicant in the meantime. With the above direction, the present application stands **disposed of**.

Let a **Plain Copy** of the order be handed over to Learned Counsel for the applicant.

( S.K. DAS )  
MEMBER(A)

( R. K. BAG )  
MEMBER (J)

Csm