

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 1024 OF 2016

RAMENDRA GUHA vs **The State of West Bengal & Ors.**

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<p>11</p> <hr/> <p>07.08.2018</p>	<p>For the Applicant : Mr. G.P. Banerjee Mrs. S. Agarwal Advocate</p> <p>For the Respondent No.1 : Mrs. P. Sasmal Advocate</p> <p>For the Respondent No.3 : Mrs. R. Sarkar Mr. A. De Advocate</p> <p>For the Respondent No.4 : Mr. B. Mitra Departmental Representative</p> <p>As prayed for by Mr. G.P. Banerjee, learned advocate for the applicant, leave granted to add the Principal Secretary, Finance Department, Government of West Bengal as party respondent by amending the cause title in course of this day.</p> <p>It is submitted on behalf of the applicant that though other superannuation benefits of late Ratna Guha have been released, however, 50% gratuity and 50% life time arrear of pension are yet to be released in favour of Rabirashmi Guha, son of the deceased employee. Submission is as Rabirashmi Guha residing overseas has authorised his father Ramendra Guha, the applicant to receive the said dues, appropriate order may be passed for</p>	

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	<p>payment which is pending for long. It appears that from the report filed on behalf of the Principal Accountant General (A&E), West Bengal, respondent No. 4 that Rabirashmi Guha has authorised the applicant to receive the life time arrear and other pensionary benefits due to him, that is 50% of the benefits. It is submitted that those benefits may be directed to be released.</p> <p>Mrs. P. Sasmal, learned advocate for the respondents No. 1 submits that a direction may be issued on the respondents to disburse the balance 50% life time arrear and gratuity payable to Rabirashmi Guha to the applicant in view of the letter appearing at page 7 of the report. Such submission is also adopted by Mr. B. Mitra, departmental representative of the Principal Accountant General (A&E), West Bengal.</p> <p>Though the matter has appeared under the heading "To Be Mentioned", considering the facts an order may be passed directing payment of the said dues.</p> <p>Therefore, since Rabirashmi Guha, son of Ramendra Guha has authorised his father to receive 50% gratuity and 50% life time arrear pension, in the background of such facts, the Collector, The Kolkata Collectorate, Government of West Bengal, respondent No.2 is directed to release the balance share of gratuity</p>	

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	<p>and balance life time arrear of pension payable to Rabirashmi Guha to Ramendra Guha, the applicant, within eight weeks from the date of compliance of formalities, if any. Accordingly the said respondent No. 1 shall intimate the applicant about the formalities to be complied with within two weeks from the date of receipt of a copy of this order.</p> <p>So far as the payment of family pension is concerned, it appears from the report that similar matters are pending before the Finance Department as evident from the letter dated 24th December, 2008 issued by the Accounts Officer to the O.S.D. and Ex-Officio Joint Secretary to Government of West Bengal, Finance Department, Pension Branch, Second Floor, Kolkata and the letter dated 30th May, 2018 addressed by the Accounts Officer, of the Indian Audit and Accounts Department, Accountant General (A&E), West Bengal addressed to the Deputy Secretary, Government of West Bengal, Department of Land and Land Reforms and Refugee and Rehabilitation, Establishment Branch. Since the issue is pending before the Finance Department, the Principal Secretary, Finance Department, West Bengal, the added respondent shall file reply to the original application within 7th September, 2018. Rejoinder, if any, by 24th September, 2018. Matter to appear under the heading "For Orders" on 1st October, 2018. The advocate-on-</p>	

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SCN.	<p>record for the applicant shall serve copies of the original application, reply and report along with a copy of this order on the added respondent by 13th August, 2018 and shall affirm and file supplementary affidavit of service on the next date of hearing.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(Soumitra Pal) CHAIRMAN</p>	