

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

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Dr. Subesh Kumar Das, Administrative Member.

Case No. OA 1150 of 2016.
JAHURA BEGUM – VS- STATE OF W.B. & 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
<p>12 17.12.2018.</p>	<p>For the Applicant : Mr. S.M. Rahaman, Advocate</p> <p>For the State Respondent: Mr. S. Bhattacharjee, Advocate</p> <p>For the Private Respondent No. 5 : Mrs. P. Saha, Advocate.</p> <p>In this application Jahura Begum, the applicant, has prayed for a direction upon the state respondents to record her name in the service book of Manowar Ali Khan – the private respondent no. 5 as the wife and nominee and to pay service benefit to the applicant. It appears that Manowar Ali Khan had married the applicant and she is the first wife.</p> <p>Mrs. P. Saha, Learned advocate appearing on behalf of the private respondent relying on the replyfiled on behalf of the private respondent does not dispute that Jahura Begum – the applicant is the first wife. However submission is the private respondent no. 5 has also married Sabita Khatun during the subsistence of the first marriage and she is the second wife and her name has been recorded in the service book.</p> <p>Mr. S. Bhattacharjee, learned advocate</p>	

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	<p>appearing on behalf of Mr. A.L. Basu, learned advocate for the state submits that there is no dispute that the applicant is the first wife of the private respondent no. 5, a Government employee, who had retired on 31st July, 2018. Submission is that the name of the applicant is nowhere mentioned in the service book.</p> <p>Mr. S.M. Rahaman, learned advocate appearing on behalf of the applicant submits that appropriate direction may be given upon the respondents to record her name as a nominee and for a direction to release service benefit to his client after disposing of the representation dated 4th September, 2014 appearing at page 21 of the application.</p> <p>It is an admitted position that Jahura Begum is the first wife of the private respondent no. 5 and during the subsistence of the first marriage, the private respondent had married Sabita Khatun, which is in accordance with the principles of Mohamedan law relating to marriage. Hence, having heard the learned advocates for the parties, this application is disposed of by directing the Directorate of Personnel, Irrigation and Waterways Directorate – Respondent no. 2 to dispose of the representation dated 4th September, 2014, appearing at</p>	

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Skg.	<p>page 21 of the original application, by passing a reasoned order to be communicated to the parties within ten weeks from the date of obtaining of a copy of this order after giving an opportunity of hearing to the applicant and to the private respondent and after verifying the records.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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