

**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 1209 of 2016.  
**PUSPA DAS – VS- THE 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 style="text-align: center;">6</p> <hr/> <p>27.8.2018.</p>	<p>For the Applicant : Mrs. S. Agarwal, Advocate.</p> <p>For the State Respondent : Mr. S.K. Mondal, Advocate.</p> <p>For the A.G. (A &amp; E) W.B. : Mr. B. Mitra, Departmental Representative.</p> <p>In this application the applicant, stated to be the first wife of Dolgobinda Das, – the Respondent no. 5, has prayed for a direction upon the Respondents to cancel the nomination of Sabitri Das (Patar) in the pension file and other official records as the second wife of private respondent no. 5.</p> <p>It has been stated in the application that in the year 1981 the applicant was married to Dolgobinda Das and a male and a female child were born out of the wedlock. Thereafter, in 2004 the private respondent number 5 married one Sabitri Das (Patar) during the subsistence of the marriage with the applicant. It has been alleged that the private respondent number 5 has incorporated the name of the Sabitri Das (Patar) as nominee in the official records after deleting the name of the applicant. It has been stated that the husband of</p>	

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	<p>the applicant has filed a Matrimonial Suit No. 92 of 2004 before the learned District Judge, Purulia and the same is pending before the learned Additional District Judge, Fast Track Court at Purulia. Submission is that though a representation before the respondent authorities was filed on 8<sup>th</sup> September, 2016 praying not to give effect to the nomination of Sabitri Das (Patar) as the wife of said Dolgobinda Das, no step has been taken.</p> <p>Learned advocate for the state respondent denying the allegations in the application submits that after receiving the complaint, an enquiry was made as evident from the reply filed . A report was submitted by the Inspector of Police, DEB, Purulia before the Deputy Superintendent of Police, District Enforcement Branch, Purulia . In the said report, it has been held that Puspa Das , that is the applicant herein, is the wife of Dolgobinda Das, a former Constable and Nirmal Das and Manasi Das are the legitimate child of Dolgobinda Das.</p> <p>Mr. B. Mitra, Departmental Representative for Accountant General (A &amp; E) W.B. , Kolkata – the Respondent number 2 supports the stand of the State.</p> <p>Having heard learned advocate for the parties and considering the facts and circumstances of the case,</p>	

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Skg.	<p>the original application is disposed of by directing the Superintendent of Police, Purulia – the Respondent number 4 to dispose of the representation dated 8<sup>th</sup> September, 2016 filed by the applicant by passing a reasoned order to be communicated to the parties within ten weeks from the date of presentation of a copy of this order after giving an opportunity of hearing to Puspa Das, the applicant herein, and to respondent no. 5 and after taking note of the report dated 6<sup>th</sup> June, 2017 prepared by the Inspector of Police, Purulia appearing at page 7 of the reply. After the reasoned order is passed, the Respondents are directed to take appropriate steps in accordance with law.</p> <p>(Subesh Kumar Das) Member(A).</p> <p>(Soumitra Pal) Chairman.</p>	

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