

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 194 of 2018.

CHANDRANI MITRA – 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;">2</p> <hr/> <p>11.9.2018.</p>	<p>For the Applicant : Mr. P. Ghosh, Advocate.</p> <p>For the State Respondent : Mr. S. Ghosh, Advocate.</p> <p>For the A.G. (A & E) W.B. : None.</p> <p>In this application the applicant has prayed for a direction upon the Respondents, particularly on the Secretary, Health and Family Welfare Department, Kolkata, now re-designated as Additional Chief Secretary, Health and Family Welfare Department, Kolkata, to grant family pension in her favour, being an unmarried daughter of the State Government employee, in terms of the relevant government Order. Prayers have also been made to dispose the representations dated 18th December, 2018, 12th January, 2018 and 24th February, 2018.</p> <p>It appears that Manjusree Majumder, a staff nurse under the State had expired on 22nd March, 2017 leaving behind two unmarried daughters – the applicant and Kamalika Mitra, the younger daughter.</p> <p>It is submitted by Mr. S. Ghosh, learned advocate for the State Respondents on instruction that</p>	

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	<p>under the scheme framed by the State family pension is admissible first to the minor daughter below 25 years of age. Therefore, Kamalika Mitra and not Chandrani Mitra is first entitled to get minor family pension upto the age of 25 . So far as the case of Chandrani Mitra – the applicant , an unmarried daughter is concerned, it would be considered after the issue of family pension to Kamalika Mitra, other minor daughter, is completed.</p> <p>Mr. P. Ghosh, learned advocate appearing on behalf of the applicant submits that appropriate order may be passed for grant of family pension in accordance with law. On a query, it is submitted by the learned advocate for the applicant, on instruction, from the applicant and also from Kamalika Mitra, who are present in Court, that in the year 1994 their mother had a judicial separation with their father Biswanath Mitra .</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, since it is submitted on behalf of the State respondents that Kamalika being the minor daughter is entitled to get family pension first, the Superintendent, Gandhi Memorial Hospital, Kalyani, Nadia – the</p>	

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Skg.	<p>Respondent no. 2 shall send the proposal for grant of family pension in favour of Kamalika Mitra to the Accountant General, West Bengal, Kolkata within six weeks from the date of presentation of a copy of the certified copy of this order. After receiving the documents the Accountant General will dispose of the matter by passing necessary orders within six weeks. If it is found that after completion of formalities that Chandrani Mitra, the unmarried daughter of the applicant, is entitled to family pension , it will be considered in accordance with law within four weeks thereafter.</p> <p>(Subesh Kumar Das) Member(A).</p>	<p>(Soumitra Pal) Chairman.</p>

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