

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-****The Hon'ble Justice Soumitra Pal (Chairman)****& The Hon'ble Dr.Subesh Kumar Das (Administrative Member)****Case No. OA – 443 OF 2018****REKHA SINGHA Vs. THE STATE OF WEST BENGAL**

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;"><u>06</u> 05.02.19</p>	<p>For the Applicant : Mr.G.P.Banerjee Advocate</p> <p>For the State Respondent : Mr.B.P.Roy Advocate</p> <p>For the A.G.W.B. : Mr.B.Mitra (Departmental Representative)</p> <p>Affidavit of service affirmed on 5th February, 2019, filed today be kept on record. Supplementary affidavit filed pursuant to directions be kept on record.</p> <p>In this application, Rekha Singha, the applicant has prayed for a direction upon the respondents to release family pension owing to the death of her husband Bhagawan Chandra Das who expired on 26th April, 2006. It appears from the application that Bhagawan Chandra Das had superannuated on 7th April, 1977 and thereafter had expired. It has been stated that Renubala Singha, the first wife had expired on 20th February, 1999 leaving no issue. It appears from the application as well as from the supplementary affidavit that the applicant was married to Bhagawan Chandra</p>	

ORDER SHEET

REKHA SINGHA

Form No.

Vs.**THE STATE OF WEST BENGAL & ORS.**Case No. **OA - 443 OF 2018**

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BLR	<p>Das on 25th April, 1978, which means during the subsistence of the first marriage the second marriage took place.</p> <p>Heard Mr.G.P.Banerjee, learned advocate for the applicant, Mr.B.P.Roy, learned advocate for the State respondents and Mr.B.Mitra, the Departmental representative for the Accountant General (A&E) West Bengal. Since during the subsistence of the first marriage, second marriage is illegal and therefore, no order can be passed. Moreover, we find from the marriage certificate that on 25th April, 1978 Bhagawan Chandra Das was 35 years of age, whereas from paragraph 6 (c) of the application it appears that he superannuated from service on 7th Aril, 1977 after attainting the age of 58 years. Therefore, no order is passed on this application. The application is dismissed.</p> <p style="text-align: center;"> (S.K.DAS) MEMBER(A) </p> <p style="text-align: center;"> (SOUMITRA PAL) CHAIRMAN </p>	