

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

**The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das**

Case No – OA 445 of 2017.

Mohua Chakraborty – Vs- The State of West Bengal & 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 |
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| <p>05 16.04.2018.</p> | <p>For the Applicant : Mr. M.N. Roy, Mr. G. Halder, , Ld. Adv.</p> <p>For the Respondent No. 5 : Mr. D. Koley, Ld. Adv.</p> <p>For the A.G.(A&E) WB : Mr. B. Mitra, Departmental Representative.</p> <p>Mr. Koley Ld, Counsel representing the Respondent No. 5 has prayed for accommodation for filing reply. Mr. Mitra, authorised representative of AG(A & E) WB has produced a copy of two letters dated April 11, 2018 and April 06, 2018 and submitted that the Respondent No. 5 has not yet furnished claim application of the applicant in prescribed format for withdrawal of amount of GPF and list of legal heirs of the deceased employee and order for payment of family pension. We find from the materials on record that the deceased employee Samaresh Chakraborty Ex-MVI(T) attached to the office of District Magistrate, South 24-Parganas has over drawn amount of Rs. 8,18,385/- while he was on Extraordinary leave for 557 days. The applicant being the wife of the deceased employee was also directed to make</p> | |

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| | <p>payment of over drawn salary to the tune of Rs.8,18,385/- and arrears of salary for 11 days drawn by the deceased employee immediately before his death.</p> <p>Having heard Ld. Counsel representing the respective parties and the authorised representative of AG(A&E) WB , we direct the applicant to submit application for withdrawal of amount of GPF of her deceased husband , application for withdrawal of Group Insurance of her deceased husband, application for receiving Family Pension and Death Gratuity of her deceased husband within a period of one week from the date of this order.</p> <p>The Respondent No. 5 District Magistrate, South 24-Parganas is directed to accept all applications in prescribed format from the applicant for Family Pension and other retirement benefits and GPF and Gratuity of her husband and process the same for forwarding to the AG(A& E) WB within a period of four weeks from the date of this order. The above interim order is passed pending decision of the Tribunal in connection with realisation of excess payment made to the husband of the applicant by the office of the Respondent No. 5.</p> | |

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| Skg. | <p>The Respondent No. 5 is directed to furnish information in the form of reply in connection with regularisation of absence of the deceased employee by grant of leave.</p> <p>The Respondents are directed to file reply within a period of four weeks and rejoinder, if any, may be filed by the applicant within a period of two weeks thereafter.</p> <p>List the matter under the heading hearing on 06th June, 2018.</p> <p>(S.K.Das) Member (A)</p> <p>(R.K.Bag) Member (J).</p> | |

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