

ORDER SHEET
West Bengal Administrative Tribunal

Present.-
The Hon'ble Justice Ranjit Kumar Bag
&
The Hon'ble Dr. Subesh Kumar Das

Case No. **OA - 449 of 2018**

Smt. Dipali Jamadar

Versus

The State of West Bengal & Ors.

Serial No. and
date of order

Order of the Tribunal
with signature

Office action with date
and dated signature of
parties when necessary.

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05
12/04/2019

For the Applicant : Mrs. S. Mitra,
Ld. Advocate.

For the State Respondent : Mr. B.P. Roy,
Ld. Advocate.

For the A.G., W.B. : Mr. B. Mitra,
Depttl. Representative.

The applicant has prayed for direction upon the respondents for payment of interest on arrears of family pension on the ground of delay in making payment of arrears of pension.

Mrs. S. Mitra, Learned Counsel has prayed for accommodation on behalf of Learned Counsel Mrs. Punam Basu engaged by the applicant on the ground of her absence on medical ground. Mrs. Mitra has prayed for accommodation for at least three months, which in our view is not at all reasonable. It appears from the previous orders passed by the Tribunal that accommodation has already been granted on the prayer of the Learned Counsel for the applicant on previous two occasions. So, prayer for accommodation is refused. We would like to dispose of the matter on merit by invoking provisions of Rule 16(1) of the West Bengal Administrative Tribunal (Procedure) Rules,

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	<p>1994.</p> <p>It appears from the materials on record that the applicant Dipali Jamadar previously approached this Tribunal by filing OA-573/2015 praying for grant of arrears of family pension and other retiral benefits of her husband with interest and the said original application was disposed of on April 17, 2017. On April 17, 2017 the Tribunal gave direction to the Principal of I.T.I., Kalyani for taking necessary steps for payment of family pension in favour of the applicant on the ground that the right of the applicant as the legally married wife of the deceased government employee Jaggu Jamadar was established from the decree of the Civil Court, though one Sreemati Jamadar, who also claimed to be the wife of the deceased employee was made nominee for receiving retiral benefits of the deceased employee including family pension.</p> <p>Mr. Biswanath Mitra, the Departmental Representative of the respondent A.G., W.B. has placed on record the original file of family pension of the applicant for our perusal and consideration. It appears from the said file that the Principal of I.T.I., Kalyani recommended the name of the applicant for</p>	

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Csm	<p>grant of family pension along with arrears by sending letter dated July 18, 2017 and the calculation of family pension along with arrears was done by the Accounts Officer of A.G., W.B. on September 07, 2017 and thereby the amount of family pension along with arrears was disbursed in favour of the applicant. On consideration of the chronological events from the date of passing of the order of the Tribunal till the date of disbursement of the amount of family pension along with arrears, we cannot persuade ourselves to hold that there was unreasonable delay in disbursement of family pension along with arrears to the applicant for which the applicant is entitled to get interest.</p> <p>As a result, the original application is dismissed. The original file of pension of the applicant produced by Mr. Mitra is returned to him.</p> <p>Let a Plain Copy of the order be supplied to all the parties.</p> <p>S. K. DAS MEMBER(A)</p> <p>R. K. BAG MEMBER(J)</p>	