

**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 – 678 OF 2017****ARCHANA CHATTERJEE 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>03</u> 27.11.18</p>	<p>For the Applicant : Mr.S.Banerjee Advocate</p> <p>For the Respondent No. 1,2,3,5 &amp; 6 : Mr.A.Datta (Departmental Representative)</p> <p>Affidavit of service affirmed on 27<sup>th</sup> November, 2018 filed today be kept on record.</p> <p>By consent of Mr.S.Banerjee, learned advocate for the applicant and Mr.A.Datta, Departmental representative for the respondent nos. 1,2,3,5 &amp; 6 the matter is taken up for hearing.</p> <p>In this application, the applicant, - stated to be the wife of Kamalakanta Chatterjee, an employee in the department of Land &amp; Land Reforms under the Government of West Bengal - has prayed for a direction upon the respondents to take steps for release of family pension along with interest. Prayer has also been made for a direction upon the respondents to consider the representation dated 24<sup>th</sup> August, 2015 for grant of family pension and other superannuation benefits.</p> <p>Mr.S.Banerjee, relying on the statements in the original application submits that the husband of the</p>	

**ORDER SHEET****ARCHANA CHATTERJEE**

Form No. ....

**Vs.****THE STATE OF WEST BENGAL & ORS.**Case No. **OA - 678 OF 2017** .....

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>applicant, as evident from the death certificate annexed to the application, had expired on 8<sup>th</sup> August, 2015. During the life time of the husband, due to certain family disputes the applicant started to live separately. She had filed an application under Section 125 Cr.P.C. against the husband. The Sub-Divisional Judicial Magistrate, Rampurhat, Birbhum by an order dated 31st January, 1988 directed to pay the maintenance of Rs. 150/- per month. Thereafter she had filed a Misc. Case in the year 1993 which was disposed of by order dated 20<sup>th</sup> June, 1997 directing the husband of the applicant to pay maintenance at an enhanced rate of Rs. 500/- per month. Thereafter, a Misc. case was filed being no. 195 of 2010 against the husband of the applicant for further maintenance which was disposed of by Learned Additional Chief Judicial Magistrate by passing a judgement on 18<sup>th</sup> June, 2013 directing to pay Rs.4272/- per month. Aggrieved by the said order the husband of the applicant filed a Criminal Revision, being No. 23 of 2013, in the Court of Additional Sessions Judge, Birbhum at Rampurhat which was disposed of on 31<sup>st</sup> March, 2014 with a direction upon the husband of the applicant to</p>	

**ORDER SHEET**

ARCHANA CHATTERJEE

Form No. ....

Vs.

THE STATE OF WEST BENGAL & ORS.  
.....Case No. **OA - 678 OF 2017**

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>pay an enhancement maintenance of Rs. 3,000/- per month. It is submitted that though after the death of the husband, she was advised to take steps for grant of family pension, however, in spite of representation dated 24<sup>th</sup> August, 2015 addressed to the District Land &amp; Land Reforms Officer, Government of West Bengal, Suri, Birbhum, the respondent no. 5, no steps have been taken. Aggrieved, this Original application has been filed.</p> <p>Mr.A. Datta, the Departmental representative appearing on behalf of the respondents submits that it is not evident from the application, in which office the husband of the applicant had last worked and when he had retired. According to him since these facts and dates are relevant for the adjudication of the matter, the applicant may be directed to furnish these information to the respondent authorities so that appropriate steps can be taken for redressal of the grievances of the applicant.</p> <p>Having heard Mr.Banerjee and Mr.Datta, and considering the facts and circumstance of the case, this Original application is disposed of by granting liberty to the applicant to file an application ventilating her</p>	

**ORDER SHEET****ARCHANA CHATTERJEE**

Form No. ....

**Vs.****THE STATE OF WEST BENGAL & ORS.**Case No. **OA - 678 OF 2017** .....

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
BLR	<p>grievances, annexing copies of the relevant documents before the District Land &amp; Land Reforms Officer, Government of West Bengal, Suri, Birbhum, the respondent No.5, within a period of four weeks from the date of having a copy of this order. In the said representation, the applicant will specifically state the office in which the husband of the applicant Kamalakanta Chatterjee had last worked and when he had retired. If such application is filed with such particulars and other particulars as required, within the time as stipulated, the respondent No. 5 shall dispose of the same by passing a reasoned order to be communicated to the parties within a period of twelve weeks after giving an opportunity of hearing and after verifying the records.</p> <p style="text-align: center;">(S.K.DAS) MEMBER(A)</p> <p style="text-align: center;">(SOUMITRA PAL) CHAIRMAN</p>	