

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

Hon'ble Justice Soumitra Pal,
Hon'ble Dr. Subesh Kumar Das,

Hon'ble Chairman &
Administrative Member.

CASE NO. OA 731 of 2018.

MITA ROY @ MITA ROY MONDAL – VERSUS- 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
<p>9 <hr/>9.7.2019.</p>	<p>For the Applicant : Mr. K. Bhattacharjee, Mr. P. Majumder, Advocates.</p> <p>For the Respondents : Mr. S. Ghosh, Advocate.</p> <p>As prayed for by Mr. K. Bhattacharjee, learned advocate for the applicant, leave granted to the applicant to amend the cause title so far it relates to respondent no. 1.</p> <p>Mita Roy @ Mita Roy Mondal, the applicant, has filed this Original Application for a direction upon the respondents, inter alia, to release service benefits along with death-cum-retirement benefits namely ROPA , provident fund, gratuity, family pension, group insurance and other retirement cum death benefits in respect of her husband Dr. Chitta Ranjan Mondal, a medical officer, who had expired on 9th October, 2017.</p> <p>Mr. Bhattacharjee, learned advocate appearing on behalf of the applicant submits that since there is no dispute that the applicant is the wife of the deceased, as evident from the Letters of Administration, appearing at page 35 and 36 of the Original application,</p>	

ORDER SHEET

MITA ROY @ MITA ROY MONDAL.

Form No.

Vs.*THE STATE OF W.B. & ORS.*Case No. **OA 731 of 2018.**

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>appropriate order may be passed. Submission is though representations dated 2nd July, 2018, being annexure R-7 to the supplementary affidavit and representation dated 27th August, 2018, being annexure A-9 to the original application, were served by the applicant upon the respondents for release of dues of her husband, since deceased, till date no steps have been taken. Aggrieved this application has been filed.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the State respondent submits that the husband of the deceased had last performed his duties in May, 2009 and thereafter, he was absent till his death on 9th October, 2017. As he was absent no records are traceable. Therefore, unless service book is reconstructed with the assistance of the applicant, it is difficult to release the dues as prayed for by the applicant.</p> <p>Having heard Mr. Bhattacharjee and Mr. Ghosh, learned advocates for the parties and considering the facts and circumstances of this case, the Original Application is disposed of by directing the Additional Chief Secretary to the Government of West Bengal, Department of Health and Family Welfare, – the</p>	

ORDER SHEET**MITA ROY @ MITA ROY MONDAL.**

Form No.

Vs.**THE STATE OF W.B. & ORS.**Case No. **OA 731 of 2018.**

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
Skg.	<p>respondent no. 1, to dispose of the representations dated 2nd July, 2018 and 27th August, 2018 by passing a reasoned order to be communicated to the parties, within ten weeks from the date of presentation of a copy of the certified copy of this order along with the copies of the Original Application and supplementary affidavit, after giving an opportunity of hearing and after verifying the records. If it is found that formalities are required to be complied with by the applicant for release of the dues, the respondent no.-1 shall spell out the same in the reasoned order.</p> <p>(Subesh Kumar Das) Member (A).</p> <p>(Soumitra Pal) Chairman.</p>	