

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 - 738 OF 2019

SMT. SULEKHA SINGHA ALIAS SULEKHA RANI SINGHA Vs. THE STATE OF WEST BENGAL & OTHERS.

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>09</u> 07.12.2020</p>	<p>For the Applicant : Mr.S.K.Chattopadhyay Advocate</p> <p>For the State respondents : Mr.G.P.Banerjee Advocate</p> <p>Let affidavit of service filed today be kept on record. Since despite service of notice none appears on behalf of the State respondents, Mr.G.P.Banerjee, learned advocate, who normally appears on behalf of the state authorities, is requested to appear in this matter. Let a copy of the application be served on him, which is served and accepted. Learned Legal Remembrancer is directed to regularise the appointment of Mr.Banerjee.</p> <p>In this application, Sulkha Singha, alias Sulekha Rani Singha, has prayed for a direction upon the respondents to release family pension from August, 2018 and onwards. It appears that the applicant is the widow of Haripada Singha, a</p>	

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	<p>Constable/233 of West Dinajpur District, who expired on 27th July, 1984. After the death of her husband family pension was sanctioned and she had been enjoying the said pension through United Bank of India, a nationalised Bank. We find subsequently she was appointed as a Lady Constable (Commissionerate appointment) with effect from 30th June, 1987 and after reaching the age of 60 years she superannuated on 30th April, 2018. Accordingly Pension Payment Order dated 9th April, 2018 was issued to United Bank of India, Ratua Branch. It has been stated that she was enjoying the family pension in the account number in the name of Sulekha Rani Singha and had been enjoying pension in another account number without any hindrance. According to her Sulekha Singha and Sulekha Rani Singha are same and identical person. It has been stated that she has furnished Life Certificate regularly for her pension and family pension separately. It has been stated all on a sudden in the month of August, 2018 her family pension was stopped. Though several representations were made before the bank it has been alleged that there is no answer. Thereafter the application being OA-272 of</p>	

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	<p>2019 was filed before the Tribunal for releasing Family Pension from August, 2018 which was disposed of on 23rd April, 2019 by passing an order, the relevant portion of which is as under:-</p> <p style="text-align: center;"><i>“In view of the above, in our considered opinion, the application is premature one as the applicant has not availed the alternative remedy by way of approaching the authority to ascertain the reasons for such stoppage of family pension whether as per their direction or at the end of the Bank. In view of the above, we do not find any reason to entertain the O.A. at this stage. Therefore, the application is dismissed being premature.....”</i></p> <p>It appears that thereafter on 21st May, 2019 the applicant filed a representation praying for release of family pension from August, 2018 and onwards however it has not been considered. It is submitted by Mr.A.K.Chattopadhyay, learned advocate for the applicant that a direction may be issued upon the</p>	

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	<p>Deputy Commissioner of Police (Head Quarter), Howrah Police Commissionerate, Howrah, the respondent no. 3 for consideration of the representation dated 21st May, 2019 annexed to the application.</p> <p>Mr.G.P.Banerjee, learned advocate appearing on behalf of the State respondents submits that, if directed, the respondent No. 3 shall consider the representation in accordance with law.</p> <p>Having heard the learned advocate for the parties and considering the facts and circumstances of the case and as prayed for on behalf of the applicant, the application is disposed of by directing the Deputy Commissioner of Police (Head Quarter) Howrah Police Commissionerate, Howrah, the respondent no. 3 to dispose of the representation dated 21st May, 2019, annexed to the application, by passing a reasoned order within a period of 10 weeks from the date of presentation of a copy of this order downloaded from</p>	

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BLR	<p>the Internet/website after giving an opportunity of hearing and after verifying the records.</p> <p>Since for circumstances beyond control the Registry is unable to furnish plain copies of this order to the learned advocates for the parties, the Registry is directed to upload this order on the website of the Tribunal forthwith and parties are directed to act on the copies of the order downloaded from the website.</p> <p style="text-align: center;"> (S.K.DAS) MEMBER (A) </p> <p style="text-align: center;"> (SOUMITRA PAL) CHAIRMAN </p>	