

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-772 OF 2019**SUFIA BEGAM & ANR. 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>03</u> 20.12.19</p>	<p>For the Applicants : Mrs.S.Agarwal Advocate</p> <p>For the Respondents : Mr.G.P.Banerjee Mr.B.P.Roy Advocates</p> <p style="text-align: center;">In this application, Sufia Begam, stated to be the second wife of Late Sirajul Haque, Ex-Constable and Samirul Haque, his son, have prayed for certain reliefs, the relevant portion of which is as under:</p> <p style="text-align: center;">“(a) To show cause as to why the applicants should not be granted family pension in favour of applicant No.1 being legitimate widow of Sirajul Haque, Ex-Constable, due to sad demise and also due to verge of end of temporary pension of their only son very soon as becoming major”.</p> <p>It appears that the applicant no. 1 married the deceased on 14th January, 1994 during subsistence of the first marriage of the deceased with Firoja Begum, who expired on 1st April, 2015. Be it noted that Sirajul Haque expired on 30th November, 2015. It is submitted</p>	

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	<p>by Mrs.S.Agarwal, learned advocate for the applicant that since the applicant is entitled to family pension and as a representation dated 29th December, 2015 appearing at pages 29 and 30 of the application, was furnished before the Superintendent of Police Murshidabad, Berhampore, district-Murshidabad, the respondent no.3, appropriate direction may be passed. On a query, Mrs.Agarwal submits that the applicant no. 2, that is, the son of the deceased is getting family pension. Mrs.Agarwal further submits that since the applicant no. 2, after attaining the age of 25 years, will not get family pension, appropriate direction may be passed directing the respondent authorities to grant family pension to the applicant no.1.</p> <p>Mr.G.P.Banerjee, learned advocate appearing along with Mr.B.P.Roy, learned advocate for the State respondents submits that since the applicant no. 2 is drawing family pension and the applicant no 1 has foregone her other benefits at the time of drawing of pension by her son, no order may be passed.</p> <p>Heard learned advocates for the parties. Since the applicant no. 2 is drawing family pension and she</p>	

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BLR	<p>has foregone benefits at the time of drawing pension by her son, no order can be passed on the application. Hence, no order is passed on the application. The application is disposed of.</p> <p style="text-align: center;"> (S.K.DAS) MEMBER (A) </p> <p style="text-align: center;"> (SOUMITRA PAL) CHAIRMAN </p>	