

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

The Hon'ble Mrs. Urmita Datta (Sen), Member (J)

The Hon'ble Mr. P. Ramesh Kumar, Member (A)

Case No – OA-63 of 2017.Goutam Dharmapal. 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>15</p> <p>-----</p> <p>10-02-2020</p>	<p>For the Applicant : Sk. A. Haque, Advocate.</p> <p>For the State Respondents : Mrs.S. Agarwal, Advocate.</p> <p>For the A.G., W.B. : Mr. B. Mitra, Departmental Representative.</p> <p>The instant application has been filed by the legal heirs praying for retirement benefit of the deceased employee. However as per the Counsel for the respondent that they have already sent the P.P.O. to the Bank for disbursement of pensionary benefit. Therefore they have no fault on their part. In that background, we have directed the applicant to approach the bank authority in this regard and in turn the Branch Head Union Bank of India, Ballygunge had communicated the following :-</p> <p><b><i>“Reference to subjected matter, this is to mention you that according to Indian Audit</i></b></p>	

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	<p><b><i>and Accounts department, Accountant General (A &amp; E) West Bengal Letter Number PEN-X/719(R-PR06-2011-12/D/00341-43 DTD 01-05-2012, the pensioner Late GautamDharmapal is entitled to get Rs. 3,72,751.00 (Rupees Three lac seventy two thousand seven hundred fifty one only) as arrear for the period (October 2014 to February 2017). In this context, we would like to mention you that the said amount can be credited to accounts of the legal heirs of Late GautamDharmapal subject to submission of the following documents to bank –</i></b></p> <ol style="list-style-type: none"> <li><b><i>1. Succession Certificate.</i></b></li> <li><b><i>2. Affidavit to be executed by all the legal heirs, (Annexure F) (To be executed before a Notary/Magistrate on Non-Judicial Stamp paper).</i></b></li> <li><b><i>3. Indemnity Bond to be executed by all the legal heirs along with two sureties having means of not less than double the claim amount. (Annexure G) (To be executed before a Notary/Magistrate on Non-</i></b></li> </ol>	

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	<p><b><i>Judicial Stamp paper).</i></b></p> <p><b><i>4. A declaration to be obtained from the respectable persons well known to the deceased family and the bank preferably an existing depositor of the bank to the effect that the claimants are the only legal heirs of the deceased. (Annexure J) (To be stamped as an agreement Need not be signed before Notary or Magistrate)</i></b></p> <p><b><i>5. Death Certificate</i></b></p> <p><b><i>6. Identity Proof, address proof and photo of legal heirs.</i></b></p> <p><b><i>7. Identity Proof, address proof and photo of two guarantors”.</i></b></p> <p>It is noted that it is the fault on the part of the bank by not providing the pensionary benefit to the deceased employee.</p> <p>In view of the above, the applicant is directed to submit the required documents as there is no grievance against the official respondents. Therefore the OA is disposed of with no order as to cost. The applicant is at liberty to take steps against the bank if he has</p>	

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Mihir	<p>not received the pensionary benefit after submitting the required documents before Bank authority.</p> <p><b>P. RAMESH KUMAR MEMBER(A)</b>                      <b>URMITA DATTA (SEN) MEMBER(J)</b></p>	