

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-792 of 2018.Shipra Dutta. 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;">01</p> <p>-----</p> <p style="text-align: center;">12-12-2018</p>	<p>For the Applicant : Mr. Debabrata Karan, Mrs. S. Khutia (Bhunya), Mr. Debopriyo Karan, Advocates.</p> <p>For the State Respondents : None.</p> <p style="text-align: center;">Affidavit of service is filed and kept on record.</p> <p style="text-align: center;">The instant application has been filed praying for the following reliefs :-</p> <p style="text-align: center;">a) An order be passed directing the responding authorities to grant and disburse family pension to the applicant without any delay.</p> <p style="text-align: center;">b) An order be passed directing the respondent authorities to grant and disburse arrear family pension to the applicant with effect from 19-06-2014.</p> <p style="text-align: center;">c) An order be passed directing the respondent authorities to grant and disburse the interest at the rate of 12% p.a. on the arrear family pension for the period from 19-06-2014 to till the date of disbursement.</p>	

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	<p style="text-align: center;">d) To pass such other and further order or orders as the Hon'ble Tribunal may deem fit and proper.</p> <p>As per the applicant, her father was working as Lower Division Clerk in the office of the District Magistrate and Collector, Howrah and was also getting pension after his retirement on 30-09-1981. Subsequently the mother of the applicant was receiving the family pension. However she died on 18-06-2014. Thereafter the applicant being an unmarried daughter of her parents made an application before the District Magistrate for disbursement of family pension in favour of her on 08-07-2015(Annexure-G). Subsequently, the Divisional Treasury Officer(Cheque) Treasury 1, Howrah vide his Memo No. TA-1/15 dated 14-07-2015 had requested the officer in charge, General Establishment Section, Howrah to take necessary action with regard to the family pension of the applicant. However till date no action has been taken or any decision has been communicated in this regard. Being aggrieved with, she has filed the instant application. None for the respondents though affidavit of service has been filed by the applicant.</p> <p>However, during the course of the hearing, the Counsel for the applicant has submitted that it would suffice his purpose if the District Magistrate &</p>	

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Mihir	<p>Collector, Howrah i.e. Respondent No. 2(b) would be directed to consider the case of the applicant and disburse the family pension in favour of the applicant within a stipulated period of time.</p> <p>Heard the Counsel for the applicant and perused the records. It is noted that the issue relating to grant and disbursement of family pension in favour of the applicant is still pending before the authority for their final decision. Therefore, the District Magistrate and Collector, Howrah, i.e. Respondent No. 2(b) is directed to consider the case of the applicant after granting her personal hearing and to take a decision in this regard and communicate the same to the applicant. If the applicant is otherwise found eligible for family pension, it should be disbursed immediately. The entire procedure should be completed within a period of 8(eight) weeks from the date of receipt of the order. Accordingly, the OA is disposed of with the above observations with no order as to cost.</p> <p>P. RAMESH KUMAR MEMBER(A)</p> <p>URMITA DATTA (SEN) MEMBER(J)</p>	

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