

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

The Hon'ble Urmita Datta (Sen) Member (J) &
Hon'ble P. Ramesh Kumar, Member (A)

OA-1297 of 2016

Dipali Dhabal

Vs

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><u>07</u> 06.09.2018</p>	<p>For the applicant : Mr. G. Halder, Learned Advocate.</p> <p>For the respondent : Mr. R.A. Chowdhury, Learned Advocate.</p> <p>The instant application has been filed praying for following relief :-</p> <ol style="list-style-type: none"> 1. Direction upon the respondents and their men and agents to regularise the pension in favour of the applicant after the death of her husband Late Tapan Dhabal with effect from 23.03.2015 immediately. 2. Direction upon the respondents to produce all the relevant papers and documents in connection with the instant case before this Learned Tribunal. 3. And to pass such other order or orders as the Learned Tribunal may deem fit and proper. <p>According to the applicant, her husband died on 23.03.2015 (Annexure-E). However, during his lifetime, the applicant filed one application under section 125 of</p>	

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<p style="text-align: center;">07 06.09.2018</p> <p>Page /2</p>	<p>the Code of Criminal procedure, one miscellaneous case being no. 41/1995 for maintenance and vide judgement dated 28.08.1998, the Ld. Judicial Magistrate, 4th Court, Bankura was pleased to grant maintenance @ Rs. 700/- p.m. (Annexure-A). However, against the said order of maintenance, no appeal was preferred by the husband of the applicant. Therefore, the order of maintenance reached finality. In the meantime, the applicant made a request to the Assistant Director of Agriculture, Mejia, Bankure to verify the service book of her husband. As no information was supplied to her, the District Magistrate directed the Dy. Director of Agriculture (Admn.) vide his order dated 25.09.2012 directed to cause enquiry and to take necessary action (Annexure-C). However, ultimately the husband of the applicant make payment of Rs. 4200/- as maintenance of the applicant. But unfortunately on 21.3.2015, the husband of the applicant died. After the death of the husband of the applicant, she made representation before the respondent authority to make payment of family pension (Annexure-F). However, till date she has not received any family pension. Being aggrieved with she has filed this instant application.</p>	

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<p style="text-align: center;">07 06.09.2018</p> <p style="text-align: center;">SC</p>	<p style="text-align: center;">According to the applicant she has not been divorced by the deceased husband. Therefore, till date being married wife of the deceased employee, she is entitled to get the family pension.</p> <p style="text-align: center;">But, till date no reply has been filed. The matter will again appear on 28.09.2018. Reply/rejoinder, if any, in the meantime.</p> <p style="text-align: center;"> P. RAMESH KUMAR MEMBER(A) </p> <p style="text-align: center;"> URMITA DATTA (SEN) MEMBER (J) </p>	

