

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson & Member (A)

Case No. – OA 113 of 2025

Tulu Ghorai -- VERSUS – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. Pratima Saha,
Ld. Advocate.

For the State Respondents : Mrs. S. Bandyopadhyay,
Ld. Advocate.

02
23.05.2025

The matter is taken up by the Single Bench pursuant to the order contained in the Notification No. 638-WBAT/2J-15/2016 (Pt.-II) dated 23rd November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

In terms of a direction of this Tribunal, the reasoned order was passed by Medical Superintendent-cum-Vice Principal (MSVP) of Diamond Harbour Government Medical College & Hospital, South 24-Parganas dated 05.04.2024. The applicant had prayed before the respondent authorities as well before this Tribunal in OA 550 of 2023 for pension and other terminal benefits accruing from Manmatha Nath Ghorai. The MSVP after examining all the records came to the conclusion that the applicant, Smt. Tulu Ghorai was not able to satisfy her claim as a wife of the deceased employee. Therefore, not being satisfied with the legal status, her claim for pension and other terminal benefits was rejected. The MSVP also informs in the reasoned order that Smt. Sova Roy, who is the wife of the deceased employee has received all the benefits including the pension.

Mrs. Saha, learned counsel has submitted that the MSVP did not accept the fact that Smt. Tulu Ghorai was the wife of the deceased employ despite presenting all the facts.

Having heard the submissions of learned counsels of both the sides and after examining the records, the Tribunal is of the view that the issue relating to legal status of the applicant as wife of the deceased employee is to be decided in the competent forum. The Tribunal does not have the requisite mandate to interfere and decide such issues. The applicant's side is at

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liberty to approach before the appropriate forum and seek remedy from there.

Accordingly, this application is **disposed of** without passing any order.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

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