

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 144 of 2023

Binapani Jana -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	: Mrs. A. Das, Ld. Advocate.
	For the other respondent	: None.
	For the Respondent No. 9	: Mr. K.L. Dutta, Ld. Advocate.
<u>03</u> 18.09.2023	For the Pr.AG (A&E), WB	: Mr. B. Mitra, Departmental Representative.

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.

On consent of the learned counsel, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

Vakalatnama filed on behalf of the respondent no. 9 be kept on record.

The issue in this application pertains to sanction of family pension to the applicant. It appears that based on records and hearings, the family pension was sanctioned in favour of Shyamali Jana, the respondent no. 9. This matter was earlier heard by the Tribunal in OA 808 of 2021 and by an order dated 29.07.2022, the respondent no. 3, CMOH, Nadia was directed to decide the rightful claimant for the family pension as per law. Accordingly, the CMOH, Nadia called for a hearing of the parties on 03.02.2023 in which it is noted that the applicant Binapani Jana did not appear before the Committee. Satisfied with the examination of the documents presented by the respondent no. 9, Shyamali Jana, the Committee headed by the CMOH, Nadia decided the issue of family pension in favour of Shyamali Jana. Aggrieved by such decision and sanction of family pension in favour of Shyamali Jana, the applicant Binapani Jana has filed this application.

Heard the learned counsels, the matter is admitted.

Let the matter appear under the heading “**Hearing**” on **11.04.2024**.

CSM/SS

SAYEED AHMED BABA
Officiating Chairperson & Member (A)