

ORDER SHEET

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble Sayeed Ahmed Baba, Officiating Chairperson and Administrative Member

Case No. – OA 147 OF 2023

BHARATI DEB SINGHA – VERSUS- THE STATE OF WEST BENGAL & ORS.

Serial No. and Date of order	For the Applicant	:	Mrs. Sonali Mitra, Advocate
	For the State Respondent	:	Mr. S.N. Ray, Advocate
<u>2</u> 10.07.2023	For the Principal Accountant General (A&E), West Bengal	:	Mr. Biswanath 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 counsels for the parties, the case is taken up for consideration sitting singly.

The prayer in this application is to set aside the impugned order No. 540 dated 20.09.2021 passed by the Executive Engineer, Kangsabati Canals Division No.-III. As it appears, the prayer for family pension was rejected by the respondent on the ground that the income ceiling exceeds the stipulated income criteria as mentioned in notification No. 270-F(Pen) dated 08.09.2021. Copies of two certificates have been filed in this application; one is an income certificate dated 27th September, 2021 by the Block Development Officer, Salboni, Paschim Medinipur stating Rs.48,000/- as the annual family income of the applicant and another certificate issued by the Debagram Gram Panchayat which certifies annual family income as Rs.36,000/-. Since a copy of the notification No. 270-F(Pen) dated 08.09.2021 is not available in this application, the Tribunal is not able to know the income ceiling prescribed for family pension.

Mr. S.N. Ray, learned counsel for the respondents informs that, as desired by the office of the Principal Accountant General (A&E), West Bengal, certain informations and documents have already been submitted before the Principal Accountant General (A&E), West Bengal on 4th May, 2023.

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THE STATE OF WEST BENGAL & ORS.

The Tribunal requests Mr. Ray to file a copy of the respondent's letter to the office of the Principal Accountant General (A&E), West Bengal and also a copy of the Notification No. 270-F(Pen) dated 08.09.2021 of the Finance Department by the next date.

Let the matter appear under the heading "Hearing" on 12.09.2023.

(SAYEED AHMED BABA)
OFFICIATING CHAIRPERSON
and MEMBER (A)

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL