

**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 162 OF 2025**

**KAJAL RANI MAHAPATRA & ORS. - VERSUS - THE STATE OF WEST BENGAL & ORS.**

Serial No. For the Applicant : Mr. Saurav Bhattacharjee,  
and Learned Advocate

Date of order For the State Respondents : None

1 For the Principal Accountant General : Mr. Biswanath Mitra,  
17.04.2025 (A&E), West Bengal 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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under section 5(6) of the Administrative Tribunals Act, 1985.

Let affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authorities to sanction family pension and other service benefit including death gratuity of the deceased government employee by considering the representation dated 20.03.2015 of the applicant.

The deceased government employee, Pasupati Mahapatra, being the husband of the applicant, while working as a Peon (Group-D staff) under Transport Department, died on 08.03.2015 after rendering government service for 39 years 3 months and 2 days. During subsistence of the 1<sup>st</sup> marriage with the applicant, her husband married one Sabirti Mahapatra and nominated her in the Service Book under Death cum Retirement Benefit. Sabitri Mahapatra, the second wife, died on 01.04.2017, leaving behind her daughter Champa Mahapatra, applicant No.4 and son Pradip Mahapatra, who died on 14.03.2023. A heirship certificate dated 20.01.2025 was issued by the Barhat Gram Panchayat Karyalaya. Learned counsel for the applicant submits since the family pension was not sanctioned to the nominee, on death of the nominee, the applicant, being the 1<sup>st</sup> wife is entitled to get the family pension and other retiral dues. A representation dated 20.03.2015 was submitted by the applicant before the respondent authority praying for the same, which is pending for decision.

In view of the above observation, the respondent No.2, the Deputy Secretary, Transport Department is directed to examine the prayer of the applicant in this application for family pension and dispose of the same by giving an opportunity of hearing to the applicants, who will appear before him with all relevant documents, and

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**Vs.**

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**THE STATE OF WEST BENGAL & ORS.**

by considering her representation 20.03.2015. If she is entitled for family pension, the same may be processed by taking a final decision as per Rules within a period of six months from the date of receipt of a copy of this order and communicate his decision to the applicant thereafter.

The application is disposed of.

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

SCN.

WEST BENGAL ADMINISTRATIVE TRIBUNAL