

**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 602 of 2024**

**Archana Dutta -- VERSUS – The State of West Bengal & Ors.**

Serial No. and  
Date of order

For the Applicant : Syed Mansur Ali, Ld. Advocate.

For the State Respondents : Mrs. Sonali Mitra, Ld. Advocate.

For the Pr.AG (A&E), WB : Mr. B. Mitra, Ld. Depttl. Rep.

03  
20.03.2025

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 23<sup>rd</sup> November, 2022 issued in exercise of the powers conferred under Section 5(6) of the Administrative Tribunals Act, 1985.

Liberty is given to the applicant's side to modify the name of respondent no. 5. Let the respondent no. 5 recorded as Deputy Secretary, Government of West Bengal, Finance Department be amended as Special Secretary, Finance Department (Pension Branch). Let copy of today's order be served to all the concerned respondents including respondent no. 5.

Mrs. Mitra, learned counsel, having received certain instructions, submits that the Finance Department while examining the proposal has asked for the following clarification :

*"Mr. Dutta surrendered a portion of the gratuity amounting to two months emoluments last drawn by him for entitlement of family pension in terms of rule 106 of WBS (DCRB) Rules, 1971 cited on memo. no. 1632-F(Pen) dated 29.03.2012 as he retired before 01.10.1977."*

The statement of the Executive Engineer, however, shows that no such supporting document has been found either with the applicant or with the office of the respondent authorities i.e. Executive Engineer (PWD), Hooghly Division. Mr. Mansur Ali, learned counsel has also confirmed that the applicant is not in possession of such document as asked for by the Finance Department since her father Late Birendranath Dutta had superannuated in the year 1968 and died on 28.10.1993.

Let the matter appear under the heading **"Hearing"** on **01.07.2025**.

SS

**SAYEED AHMED BABA**  
**Officiating Chairperson & Member (A)**