

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 796 of 2023

Kalpana Das @ Kalpana Rani Das -- **VERSUS** – The State of West Bengal & Ors.

Serial No. and
Date of order

For the Applicant : Mrs. D. Dhamali,
Ms. S. Das,
Ld. Advocates.

01
16.01.2024

For the State respondent : Mr. M.N. Roy, Ld. Advocate.

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 contesting parties, the case is taken up for consideration sitting singly.

Affidavit of service filed be kept on record.

The prayer in this application is for a direction to the respondent authorities to release all the retiral dues of her deceased husband. The deceased husband, Asit Kumar Das, died-in-harness as Assistant Sub Inspector of Police (AP) in SAP 6th Battalion, Barrackpore. Submission of the learned counsel for the applicant is that there is no dispute as to the legal status of the applicant as the legal heirs of the deceased; Kalpana Rani Das being the wife and now widow and Ashok Das being the son. The claim is further strengthened by the fact that the name of the applicant, Kalpana Rani Das is on records of the deceased employee's Service Book as the nominee and also in records for the Death Gratuity.

Appearing on behalf of the respondent authorities, Mr. Roy informs that the unmarried sister of the deceased employee has filed a Probate case before the Learned District Delegate, Chinsurah, Hooghly on the basis of a Will dated 20.05.2022.

Mr. Roy prays for adjournment in this matter today since the views of the Learned Government Pleader has been sought regarding entitlement of the applicant for family pension.

Heard the learned counsels, the matter is admitted.

Let the matter appear under the heading "**Hearing**" on **19.03.2024**.

Reply and rejoinder, if any, in the meantime.

SAYEED AHMED BABA
Officiating Chairperson & Member (A)

CSM/SS