

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Mrs. Urmita Datta (Sen), Member (J) &
The Hon'ble P. Ramesh Kumar, Member (A)

OA -216 of 2019

Arundhati Roy Vs. **The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p><u>02</u> 04.07.2019</p>	<p>For the petitioner : Mr. H. Ghosh Learned Advocate.</p> <p>For the respondent : Mr. A.L. Basu, Learned Advocate.</p> <p style="text-align: center;">Affidavit of service filed be kept with the record.</p> <p style="text-align: center;">The instant application has been filed praying for following relief :-</p> <p style="text-align: center;">1) An order directing the concerned respondents forthwith to pay the suspension allowance of the deceased husband of the applicant due from 18.04.1990 to 31.07.1992 with interest as admissible forthwith without making any inordinate delay.</p> <p style="text-align: center;">2) An order directing the</p>	

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<p style="text-align: center;">02</p> <hr/> <p style="text-align: center;">04.07.2019</p> <p>Page /2</p>	<p>concerned respondents to pay family pension and other consequential service benefit of the deceased husband of your applicant to your applicant forthwith without making any inordinate delay.</p> <p>3) An order directing the concerned respondents to consider the representation dated 12.03.2018 made by the applicant forthwith in the light of communication dated 15.02.1993 issued by the Deputy Inspector General of Police, Railways, West Bengal, by way of extending an opportunity of hearing to your applicant forthwith without making any inordinate delay</p>	

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<p style="text-align: center;">02 ----- 04.07.2019</p> <p>Page /3</p>	<p>so that the factual matrix of the case of the applicant may therein be sorted out for the purpose of administration of conscionable justice.</p> <p>4) An order directing the concerned respondents to produce all the relevant documents pertaining to the instant case so that the conscionable justice maybe administered to the applicant.</p> <p>5) Such other or further order or orders, direction or directions be passed, if required, even by molding the reliefs specially prayed for hereinabove as would afford complete relief to your applicant.</p>	

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<p style="text-align: center;">02</p> <hr/> <p>04.07.2019</p> <p>P/4</p>	<p style="text-align: center;">As per the applicant, her husband died on 02.09.2013. However, he was suspended from the period of on 18.04.1990 to 31.07.1992 and was subsequently dismissed from the service. After the death of the deceased employee, the applicant approached the authority for family pension, which was rejected by the authority vide order dated 24.04.2018 on the ground that the husband of the applicant was dismissed from service. Therefore, she is not entitled for any family pension as per rules. Further on scrutiny of the service book of the deceased employee, name of the applicant is not appearing. Subsequently the applicant had enclosed one affidavit stating that the applicant Smt. Arundhati Roy and Smt. Khukurani Ray is the same and identical person. Therefore,</p>	

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<p style="text-align: center;">02</p> <hr/> <p>04.07.2019</p> <p style="text-align: left;">P/6</p>	<p>period from 18.04.1990 to 31.07.1992 for which the applicant had approached to the authority in the year 2018 only and that too, without supporting documents in favour of her. Therefore, counsel for the respondent has prayed for dismissal of the application.</p> <p style="text-align: center;">Heard both the parties and perused the record. It is noted that the respondents had by clear terms rejected the claim of the petitioner for family pension vide order dated 24.04.2018 which has not been challenged by the petitioner which is as follows :</p> <p style="text-align: center;"><i>“This is to inform you that you have submitted a claim petition on 12.03.2018 for family pension in favour of yourself but on scrutiny of service book of deceased SI Madhusudan Roy it appeared</i></p>	

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<p>02 04.07.2019</p> <p>sc</p>	<p>ground that it is hopelessly barred by limitation but also identity of the applicant is also in doubt, as well as the deceased employee had not taken any steps during his lifetime. Accordingly, OA is dismissed being devoid of merit with as well as hopelessly barred by limitation also.</p> <p>P. RAMESH KUMAR MEMBER (A)</p> <p>URMITA DATTA (SEN) MEMBER (J)</p>	

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