

Court No. 13

23.09.2020

(SL 1
(supp.)
(sp)

WPA 6787 of 2020
(Old No. WP 6787 (W) of 2020)

CAN 1 of 2020
(Old No. CAN 5736 of 2020)

Subhabrata Dey & Anr.
Vs.
State of West Bengal & Ors.

Mr. Tapojit Dey

... for the petitioners

Mr. Debabrata Chatterjee,

Ms. Sangeeta Roy,

Mr. S. Kabir

...for the respondent nos. 1, 2 and 4

Mr. Sukanta Chakraborty

....for the respondent no.3

Pursuant to this Court's order dated September 15, 2020, the learned District Judge, Purulia as well as the Secretary, Judicial Department, Government of West Bengal have submitted separate reports. The learned Registrar General of this Court has forwarded the said reports by way of lay notes dated September 22, 2020.

It appears from the report of the District Judge that there are two children of the deceased Sonali Dey (Ganguly) namely, Subhabrata Dey and Shreyasi Dey, son and daughter respectively. A sum of Rs. 87,326/- towards Group Insurance-cum-Savings Scheme and medical reimbursement for a sum of Rs. 2,00,768/- have already been paid to them. A sum of Rs. 5,54,307/- towards GPF has been recommended towards GPF amount which has already been sanctioned by the Office of the Principal Accountant General, A.G., West Bengal vide letter dated February

20, 2020. The sum has not been paid till date. It is ordered that the said amount be paid to the petitioners within 10 days from date.

Insofar as the pension is concerned, the learned Secretary, Judicial Department, West Bengal has made diverse observations as regards incompleteness of the documents submitted and has also pointed out certain discrepancies for which pension could not be released. The last pay slip of the deceased as submitted was also found discrepant. There are other omissions also found in preparation of pension papers.

In those circumstances, this Court directs that the report of the Secretary, Judicial Department, West Bengal be forwarded to the learned District Judge, Purulia for necessary compliance and re-submission of papers preferably within a period of 15 days of receipt thereof.

The State shall, upon receipt of all documents, and with utmost cooperation facilitate and ensure release of pension to the beneficiaries within a month from receipt of relevant papers, forms and documents from the learned District Judge, Purulia.

Insofar as the application for compassionate employment is concerned, the Judicial Secretary, at page 6 of paragraph 13 of the report has indicated that the learned District Judge, Purulia, Appointing Authority, is required to constitute a three-person Committee for the purpose of screening-cum-Enquiry in terms of the Rules for died-in-harness under a scheme being No. 251-Emp. Dated 03.12.2013.

Let the learned District Judge, Purulia constitute such Committee immediately upon receipt of a copy of this order.

It is directed that the Committee shall submit their recommendation in terms of the relevant Circular to the appropriate authority in terms of the said scheme for compassionate employment within a month from the date of such constitution of the Committee.

It is further directed that the Government may thereupon take suitable decision on the matter within a month of receipt of a copy of the report from the said Committee.

The learned Registrar General may forward a copy of the report of the Secretary, Judicial Department, West Bengal to the learned District Judge, Purulia for further action, immediately.

The petitioners shall be given copies of the aforesaid reports of the learned District Judge, Purulia and the Judicial Department of the State, by counsel of the High Court Administration forthwith.

With the aforesaid observations, the writ petition being WPA 6787 of 2020 (Old No. WP 6787 (W) of 2020) is disposed of.

With the disposal of the main writ petition, the connected application being No. CAN 1 of 2020 (Old No. 5736 of 2020 is also disposed of.

The reports of the learned District Judge, Purulia and the Secretary, Judicial Department, West Bengal be kept with the record.

All parties are to act on a server copy of this order on the usual undertaking.

(Rajasekhar Mantha, J.)