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07.03.2022.
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Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction

W.P.A. 620 of 2022
(via video conference)

Bimal Kumar Bala
-versus
The Union of India & Ors.

Mr. Subhasish Misra
Mr. Swarup Das ... For the petitioner

Mr. Sudipto Kumar Mazumder, Ld. Asstt. S.G.
Mr. Ajoy Kumar Singhania
Mr. Ajit Dutta Joarder ... For the Respondents

The petitioner is a retired BSF member. His prayer for enlistment of the name of the second wife after the death of the first wife is pending consideration.

The petitioner submits that post retirement his first wife expired and, thereafter, he got married for the second time. The Deputy Commandant by a communication dated 5th May, 2021 requested the Accounts Officer (PAO North Section) to endorse the name of his second wife in place and instead of his deceased wife and, thereafter, again a communication was made by the Commandant 138 Bn BSF to the said officer renewing the prayer of the petitioner for incorporating the name of his spouse in the Pension Payment Order after post retirement marriage. The same has not been updated till date.

It appears from the documents annexed to the writ petition that series of communications were made by the Commandant of the concerned Battalion to the Accounts Officer

to update the records and incorporate the name of the present spouse of the petitioner in the Pension Payment Order but the same has not be done for the reasons best known to the said officer.

The instant writ petition is disposed of by directing the respondent no. 3 being the Accounts Officer (PAO North Section) to immediately take steps for endorsing the name of the present spouse of the petitioner in the Pension Payment Order at the earliest, but positively within a period of four weeks from the date of communication of a copy of this order.

The writ petition is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties, after completion of all legal formalities.

(Amrita Sinha, J.)