

W.P.S.T. 69 of 2024

Nadera Bibi
Vs.
The State of West Bengal & Ors.

Ms. Shahina Haque,
Mr. Abhijit Chatterjee,
Ms. Moumita Kumar,
Ms. Mithu Singha Mahapatra

...for the Petitioner

Ms. Sonal Sinha,
Ms. Ashmita Chakraborty

...for the Respondents

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. Heard the learned Counsel for the petitioner and the learned Counsel for the State.
3. The petitioner is claiming to be the second wife of a deceased government employee, Md. Alauddin who retired as a Sub Inspector of Police in Kolkata Police. The said employee subsequently passed away. The employee is said to have superannuated in the year 2015. He expired in the year 2022. It is only thereafter that a representation has been made by the present petitioner claiming to be the second wife for grant of family pension. The West Bengal Administrative Tribunal (hereinafter referred to as 'the S.A.T.') has not accepted the claim on the ground that there is no basis for the S.A.T. to arrive at a conclusion that the petitioner has been married.

4. We see from the representation made by the petitioner that the petitioner has not enclosed any proof whatsoever regarding her being a legally married wife of the deceased.
5. In view of the facts as it exists in the record, we find no infirmity in the order dated 12.10.2023 passed by the S.A.T. in O.A. No. 574 of 2022.
6. We, however, leave it to the petitioner to approach the respondents afresh along with the proof of marriage as it is submitted by the petitioner's learned counsel that the proof is available with the petitioner.
7. The Writ Petition stands disposed of.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)