

29th July, 2025
(D/L No.157)
Ct. No.4
(SKB)

W.P.S.T.171 of 2024

Diamanti Sonar @ Sikha Sonar
@ Debanti Sonar
Versus
The State of West Bengal and others

Ms. Sangita Das Gupta,
Mr. Sourabh Sengupta
....for the petitioner.

1. Heard the learned counsel for the petitioner.
None appears on behalf of the State or the respondent no.6.
2. The petitioner was the applicant before the West Bengal Administrative Tribunal (in short 'Tribunal') claiming to be the wife of the deceased and, as such, claimed the benefit of family pension.
3. The Tribunal has taken note of the fact that the deceased government employee had submitted nomination in favour of the respondent no.6 as his wife. The status of respondent no.6 as wife of the deceased is seriously denied and disputed by the petitioner/applicant. Under such circumstance, the Tribunal held that since the nomination papers have been submitted in favour of the respondent no.6, the applicant/petitioner should take recourse to appropriate proceedings,

if she claims that marriage with the respondent no.6 is unsustainable in any reason whatsoever.

4. We find no reason to interfere with such order of the Tribunal as the Tribunal is bereft of any jurisdiction to enter into the issue whether it is the present petitioner/applicant who is the rightful claimant as a wife, to the exclusion of respondent no.6.
5. We, therefore, dispose of the writ petition reserving the liberty of the petitioner/applicant as per the Tribunal's order dated 5th December, 2023 passed in O.A.800 of 2021 to seek appropriate remedy in a court of competent jurisdiction for determination of the status of the respondent no.6 vis-à-vis the applicant/petitioner or any other issue she may wish to raise.
6. Urgent photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)