

25.11.2025
Item No.61
Ct. No.01
RP

WPCT 317 of 2024

**Kabita Chatterjee & Anr.
Vs.
The Union of India & Ors.**

Mr. Tarun Kumar Das
Mr. Surajit Dutta

...For Petitioners

Mr. Ashis Mukherjee
Mr. Srikumar Chakraborty

...For UOI

Mr. Subhendu Bandyopadhyay

...For Respondent Nos.6 & 7

PER, SUJOY PAUL, ACJ.:

1. Parties are represented through their respective learned counsels.
2. With consent, finally heard.
3. During the course of hearing learned counsel for the parties fairly admitted that the applicants before the Tribunal first filed OA 350/01676/2022 regarding their grievance of not receiving the family pension of deceased husband of the applicant no.1 for the relevant period. The said OA was disposed of in admission stage on 6.1.2023 by directing the respondents to consider and decide the pending representation dated 28.07.2022 within a period of three months.

4. In turn, a speaking order dated 25.08.2023, being Annexure P15, was passed. On the strength of this speaking order OA No.1137 of 2024 (second round of litigation) was filed before the Tribunal. The Tribunal again directed the respondents to consider the representation by passing a speaking order.
5. Learned counsels for the parties during the course of argument fairly accepted that in the second round the Tribunal ought to have considered the prayer of the petitioner on merits and should have decided it in accordance with law rather again sending the petitioners for approaching the official respondents and in turn directing the official respondents to pass another reasoned and speaking order. It is agreed that for this reason the impugned order of the Tribunal dated 14th August, 2024 may be set aside and the said OA may be restored to its original number and the Tribunal may be directed to decide it within a reasonable time.
6. In view of consensus arrived at the impugned order dated 14th August, 2024 is set aside and OA 1137 of 2024 is restored to its original number. Learned counsel for the parties shall complete their pleadings on or before 24th December, 2025. The Tribunal is requested to take up the matter on priority basis and decide it expeditiously preferably within three

months from the date of production of the server copy of this order.

- 7.** Needless to emphasis that the parties will be at liberty to rely on the pleadings filed before the Tribunal for their rival stand.
- 8.** The petition is disposed of without expressing any view on merit.
- 9.** Urgent Photostat certified copy of this order, if applied for, be delivered to the learned advocates for the parties, upon compliance of all formalities.

[SUJOY PAUL, ACJ.]

[PARTHA SARATHI SEN, J.]