

11.06.2025
(D/L-20)
Ct. No.4
(B.K.N.)

W.P.S.T. 237 of 2024

**Binapani Barman
Vs.
The State of West Bengal & Ors.**

Mr. Dr. Debabrata Karan,
Ms. Sabita Khutia (Bhunya),
Mr. Debopriyo Karan
...for the Petitioner

Mr. Saptarshi Guha
...for the State

Mr. Sourav Mondal
...for the Respondent No. 6

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents.
2. The petitioner claims to be the unmarried daughter of a deceased government servant namely, Ishan Chandra Barman who expired as a pensioner on 12.02.1989. In this connection the records reveal that the District Registrar, Malda wrote to the Finance Department, Pension Branch for a humanitarian consideration in respect of the petitioner's claim. The communication is dated 07.08.2019. In response thereto the Assistant Secretary of the Department requested the District Registrar, Malda to furnish attested copy of PPO of Late Ishan Chandra Barman for proper appreciation and necessary action in this regard at this end. Instead of furnishing a copy of the

PPO the District Registrar, Malda has forwarded the said communication to the petitioner and it has been made obligatory for the petitioner to submit a copy of the PPO, which the learned counsel for the petitioner submits is not in possession of the petitioner.

3. He has showed us various other documents from which he submits that the PPO number is very much available with the records. He has also drawn attention of the Court towards certification issued by the Office of the Sub-divisional Officer, Malda certifying the petitioner to be daughter of Late Ishan Chandra Barman and the family tree of Late Ishan Chandra Barman. She has also enclosed copy of the savings bank account no. 1184 of Late Ishan Chandra Barman maintained in the Allahabad Bank wherein the salary of Late Ishan Chandra Barman, and thereafter pension was being credited. She submits that she has supplied to the authorities whatever documents were in her possession. Insofar as the PPO and service book it is submitted that the Accountant General in case of the PPO; and the State Authorities in case of service book where the custodian of such document. The petitioner has supplied whatever document was available to her as noted above including the death certificate of Late Ishan Chandra Barman. The respondents, therefore, should be directed to expedite the claim of the

petitioner. It is submitted that the West Bengal Administrative Tribunal has wrongly cast the obligation upon the petitioner for submitting a copy of the PPO.

4. The learned counsel for the respondent State submits that the claim of the petitioner relates to death of a government servant in the year 1989. From the correspondence referred to and relied upon by the petitioner it is obvious that authorities have taken a sympathetic view of the matter and have been making endeavours to consider the petitioner's claim, but the same can be granted only after due verification of her claim.
5. The learned counsel for the Account General on the other hand submits that till such time the claim is processed by the State Authorities sanction cannot be accorded by the Office of the Accountant General. The Accountant General has been writing in this regard to the State Authorities.
6. The sum and substance of the submission of the parties is that the claim of the petitioner has not been finally considered for want of a copy of the PPO.
7. The PPO is a document issued by the Office of the Accountant General, that also after sanctioning of the pensionary claim by the State Authorities. The PPO number as per photocopy of the nomination form dated 05.05.1987 is mentioned as PPO No. XI/9171P.

The same is issued by the Treasury Authority, Malda Treasury-II. From the said document it appears that there is sufficient material for the authorities to trace and verify the petitioner's claim. The order dated 04.10.2023 passed in O.A. No. 534 of 2023 by the West Bengal Administrative Tribunal, impugned in the present proceedings casting an obligation on the petitioner to submit a copy of the PPO, therefore, in our opinion is unsustainable. The same is set aside.

8. The petitioner should approach the District Registrar, Malda and submit her claim/representation along with a copy of all these documents enclosed with the Original Application whereupon the respondent authorities would be obliged to consider and process the claim of the petitioner with a view to a final decision on the claim, expeditiously and without any delay, preferably within three months from the date of receipt/production of the copy of this order. Let the representation be filed along with a copy of this order by the petitioner within four weeks.
9. The writ petition is disposed of accordingly.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)