

BEFORE THE CENTRAL ADMINISTRATION TRIBUNAL

KOLKATA BENCH

O.A. No. 350/1066 of 2019

In the matter of:

An application under Section 19  
of the Central Administrative  
Tribunal Act, 1985;

And

In the matter of:

Krishna Karmakar, wife of Late  
Santi Ranjan Karmakar,  
residing at 43/D Sukanta  
Sarani, Dumdum, North 24-  
Parganas, Pin Code- 700079,  
West Bengal.

... Applicant

-Versus-

1. The Union of India,  
Department of Revenue, service  
*It is* through *The* Joint Secretary  
(Revenue), Room No. - 46, North  
Block, New Delhi- 110001.

2. The Union Ministry of Law and Justice, service through Senior Advocate, Ministry of Law and Justice, 11, Strand Road, Kolkata-700001.

3. The Principal Chief Commissioner Of Income Tax, Income Tax Department, West Bengal and Sikkim, Aayakar Bhawan, 1<sup>st</sup> Floor, P-7, Chowringhee Square, Kolkata-700069.

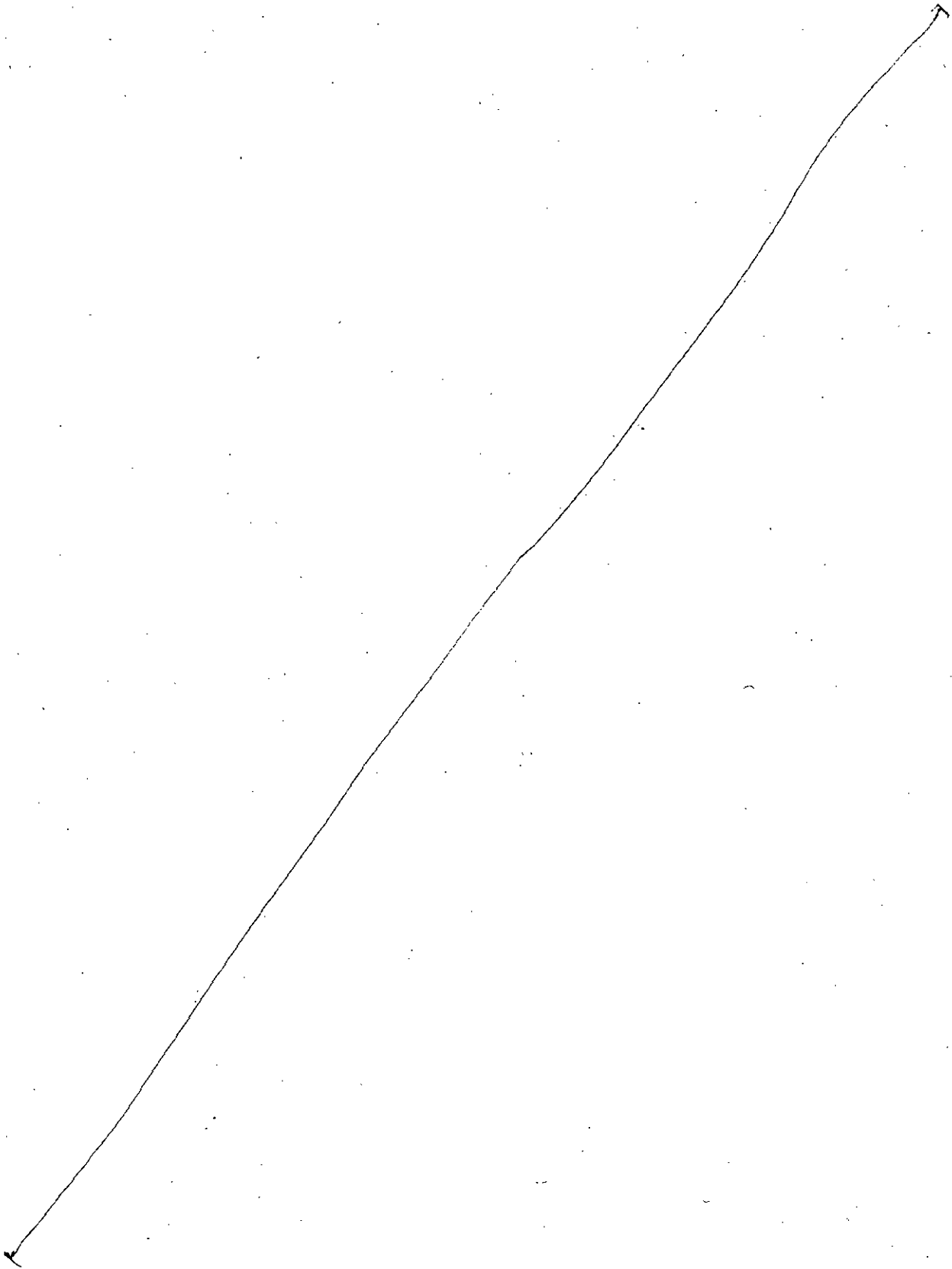
4. The Directorate of Income Tax (Investigation), Kolkata, Aayakar Bhawan, Annexe, 5<sup>th</sup> Floor, P-13, Chowringhee Square, Kolkata-700069.

5. The Additional Directorate of Income Tax (Investigation), Kolkata, Aayakar Bhawan, Annexe, 5<sup>th</sup> Floor, P-13,

Chowringhee Square, Kolkata-

700069.

... Respondents



CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH  
KOLKATA

No.O.A.350/1066/2019

Date of order : 28.08.2019

Coram : Hon'ble Mrs. Bidisha Banerjee, Judicial Member  
Hon'ble Dr. Nandita Chatterjee, Administrative Member

KRISHNA KARMAKAR  
VS.  
UNION OF INDIA & OTHERS  
(INCOME TAX)

For the applicant : Mr. H.N. Datta, counsel

For the respondents : Mr. R. Halder, counsel

**ORDER**

**Bidisha Banerjee, Judicial Member**

The applicant has preferred this O.A. to seek the following reliefs:-

*"(a) C.G.E.G.I.S-1980*

*(b) Enhanced Family Pension (with effect from 12.03.2013 to 11.03.2020) along with all the arrears dues;*

*(c) Ordinary Family Pension (with effect from 12.03.2020) of Late Debapriya Karmakar including the arrear pension, accumulated over the period from the 12.03.2013 to the date of actual disbursement;*

*(d) An order directing the respondent authorities to dispose of the demand justice letter dated 28.03.2019 by passing a reasonable order after giving an opportunity and hearing to the applicant or her authorised representatives;*

*(e) An order directing the respondent authorities to provide production of relevant documents;*

*(f) Any other order or further order/orders as this Hon'ble Tribunal may deem fit and proper."*

2. At hearing, ld. counsel for the applicant would draw our attention to a letter addressed to the Principal DIT(Inv.), Kolkata, to clear all the

settlement dues of Late Debapriya Karmakar on the basis of Succession Certificate issued by Ld. District Delegate at Barrackpore, North 24 Parganas vide No.MISC Case No.300/2014(SUCC) dated 25.07.2016. Ld. counsel would also submit that thereafter two demand notices were sent which have failed to break the ice, therefore, the applicant would be satisfied if a direction was given to the respondent authorities to consider the prayer at Annexure A/8 in a time bound manner.

3. Ld. counsel for the respondents agreed disposal of this O.A. with direction.

4. Accordingly without entering into the merits of the matter, we dispose of this O.A. with a direction upon the Respondent No.4 or any other competent authority to consider the request for grant of settlement dues on the basis of the Succession Certificate already furnished by the applicant, and to pass appropriate order within 3 months from the date of receipt of this order. If nothing stands in the way, the dues be released within the said period. No costs.

(Dr. Nandita Chatterjee)  
Administrative Member

(Bidisha Banerjee)  
Judicial Member