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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

KOLKATA BENCH

REVIEW APPLICATION NO. 350/6 OF 2016

(O.A.350/00452 OF 2014)

In the matter of :

Review order dated 21.01.2016 passed by

Hon'ble MS. Bidisha Banerjee, Judicial
Member Central Administrative Tribunal

Calcutta Bench in OA350/00452/2014

(Niva Rani Sadhukhan & Anr. -versus-
Union of India & Ors (BSNL)).

In the matter of:

1. Smt. Niva Rani Sadhukhan

W/o Late Arjun Kumar Sadhukhan

Residing at 10, Mondal Street

Kolkata – 700006 as House Wife

2. Sri Debasish Sadhukhan

Son of Late Arjun Kumar Sadhukhan aged
about 40 years, residing at 10, Mondal
Street, Kolkata – 700006, as unemployed

..Applicants/Petitioner

VERSUS-

1. Union of India

Service though the Secretary,

Department of Tele Communication

M/O Communication Sanchar Bhawan,

New Delhi – 110001

2. The Chief General Manager

Bharat Sanchar Nigam Ltgd.

(A Government of India Enterprise)

West Bengal Telecom Circle

1, Council House Street (2nd floor)

Kolkata – 700001

3. The A.D.T. (Staff-11), Office of The

Chief General Manager, Telecom

BSNL, West Bengal Circle, 1, Council

House Street, (2nd floor), Kolkata-

700001.

4. The Chief Engineer (Electrical)

Door Sanchar Bhawan, 2/5A, Judges

Court Road, (8th floor), Alipore,

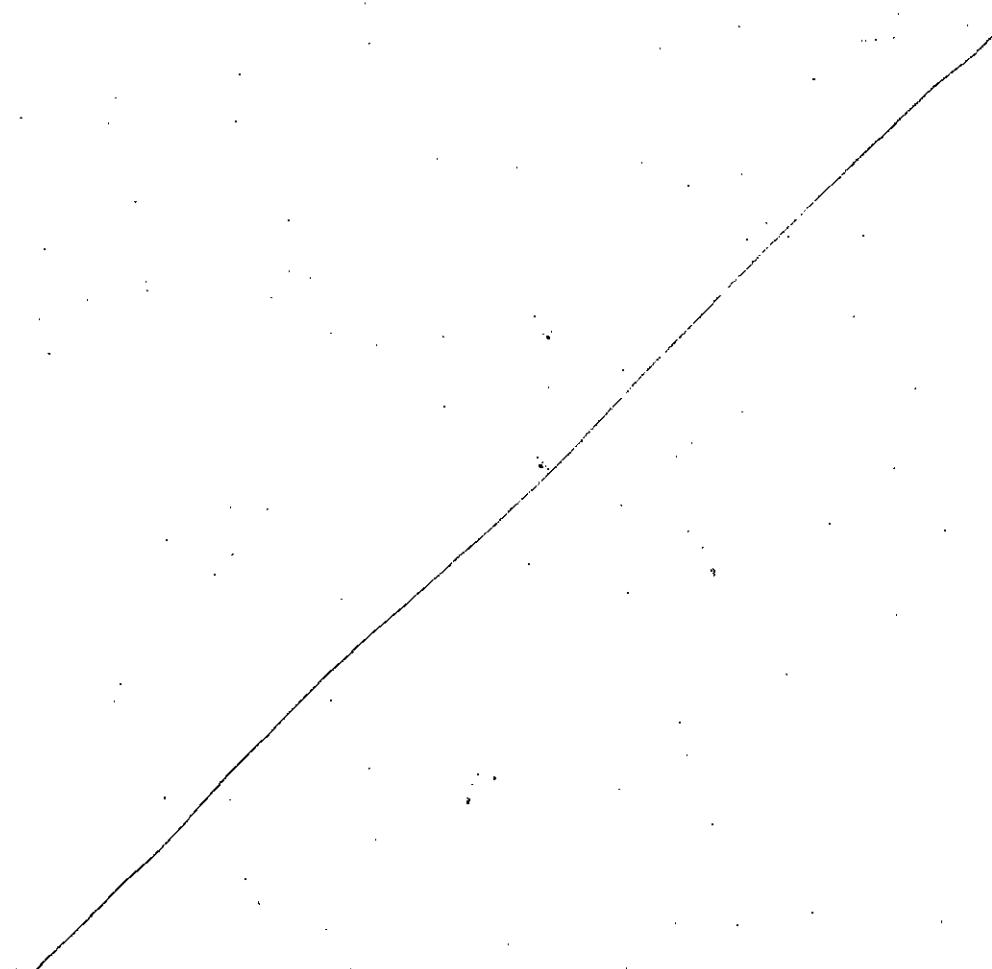
Kolkata – 700027

5. The Executive Engineer, Electrical
Division-I, Bharat Sanchar Nigam
Limited. 8/3, Vivekananda Road,
Kolkata - 700006 at present P/10, New
C.I.T.Road, 7th Floor, Kolkata-700073

6. The DGM (HR & Admn)

Bharat Sanchar Nigam Limited
O/O The Chief General Manager
W.B.Telemc Circle
1, Council House Street, 2nd floor
Kolkata - 700001

..Respondents/Opp.PARTIES



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

No.R A.350/6/2016
(O.A.350/452/2014)

Date of order :21.06.2019

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

**1.SMT. NIVA RANI SADHUKHAN
2. SRI DEBASISH SADHUKHAN**

VS.

UNION OF INDIA & OTHERS(BSNL)

For the applicant : Mr. P.K. Arora, counsel

For the respondents : Mr. D. Mukherjee, counsel

O R D E R

Bidisha Banerjee, Judicial Member

Review of the order dated 21.01.2016 in O.A.No.350/452/2014

has been sought for on the following grounds:-

"i) The applicant had received a total sum of Rs.7,06,260/- only (out of which 3,50,000/- as gratuity, Rs.1,60,330/- as GPF balance, Rs.1,31,330/- as leave encashment, Rs.14,600/- as CGEIS, Rs.50,000/- as Insurance policy along with Rs.3,890/- (pre-revised) of family pension). In their written reply the respondent also contended about release of aforesaid sum only. Therefore, the observation of Ld. Judge in para no.6 as to release Rs.14,16,410/- and finding of Rs.14,16,410/- made in para 8 of the order is an error apparent on the face of record;

ii) For that there is another error on the face of record to the effect that the Ld. Tribunal did not adhere to the specified direction dated 10.12.2013 passed by Hon'ble High Court, Calcutta in relation to the earlier O.A.1316/2009;

iii) For that while disposing of above case Ld. Tribunal did not even set aside the impugned Memo dated 07.2.2014 passed by DGM(H.R. of Admn) O/O the Chief General Manager, W.B. Telecom Circle I, Council House Street, 2nd floor, Kolkata-700001;

iv) That the applicants may be granted leave for making submission and citing case laws in this regard giving a hearing before this Ld. Tribunal."

2. Having noted that the applicants' family received Rs.7,06,260/- as death benefits and not Rs.14,16,410/-, the review is allowed and the order passed in the O.A. is modified so as to read as under:-

(i) The amount mentioned in 2nd and 14th line of para 6 of the order be read as Rs.7,06,260/-.

(ii) Para 8 of the order shall be read as under:-

Having noted that the family received 7 lakhs and odds, I quash the impugned order and direct the respondents to reconsider the applicants' claim for employment assistance on compassionate ground in accordance with the direction of the Hon'ble High Court in WPCT.No:269/2012 and pass appropriate order within 3 months.

3. The R.A. stands disposed of. No costs.

(Dr. Nandita Chatterjee)
Administrative Member

(Bidisha Banerjee)
Judicial Member

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