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CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH
KOLKATA

O.A. No.350/00281/2020.

Date of order : This the 9th Day of September, 2020.

Hon'ble Mrs. Bidisha Banerjee, Judicial Member

Hon'ble -Dr.(Ms) Nandita Chatterjee, Administrative

Binita Murmu,
Wife of Late Jogen Murmu,
Residing at Village - Dulliya (South),
P.O. Dulliya,
P.S. Sankrail,
District - Howrah,
Pin - 711313.

By Advocate : Mr. B. Chatterjee

_Versus -

1. The General Manager,
Eastern Railway,
Having its office at Fairlie Place,
17, N.S. Road,
Kolkata - 700 001.
2. The Divisional Railway Manager,
Eastern Railway,
Howrah - 1.
3. The Senior Section Engineer (M)/ EMU Carshed,
Eastern Railway,
Howrah.

By Advocate : Mr. P. Bajpayee

DR (MS) NANDITA CHATTERJEE, MEMBER(A)

Aggrieved at not having received the settlement dues after expiry of her ex-employee-husband, the applicant has approached this Tribunal praying for the following relief:

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- a) Direction be passed upon the respondents to release the entire retiral benefits including gratuity and pension together with interest as per Nationalized Bank's rate.
- b) Pass such other order orders as may be deem fit and proper.

2. Heard both Ld. counsel, examined documents on records. This O.A is taken up at the admission stage for disposal.

3. Ld. counsel for the applicant would submit that the applicant's late husband was an employee of the respondent authorities, who died in harness on 19.03.2018, leaving behind his widow, two dependent daughters and one dependent son as documented in his family statement.

4. The applicant is the second wife of late employee and would state that his first wife had left her husband and entered into a second marriage. The applicant had hence claimed all benefits as due to her on account of demise of her spouse, but the respondents had failed to respond and had only verbally directed her to submit a succession certificate to claim her dues.

Being subjected to abject poverty and not having any other recourse to sustain herself and her dependent family, the applicant has, hence, approached this Tribunal praying for the above relief.

5. Ld. counsel for the applicant would pray that the respondents be directed to respond to the applicant's representation dated 5.3.2019 at Annexure A-5 to the O.A in a time bound manner to which Ld. Counsel for respondents would not object if directed to be disposed of in accordance with law.

had

6. Hence, with the consent of the parties, and, without entering into the merits of the matter, we would direct the concerned respondent authority or any other competent authority to decide on the same in accordance with law and to convey his decision in the form of reasoned and speaking order within 12 weeks from the date of receipt of a copy of this order. If so entitled, benefits as due to the applicant should be released within 10 weeks of such orders.

6. With these directions, the O.A is disposed of. No orders as to costs.

(DR NANDITA CHATTERJEE)
MEMBER (A)

(BIDISHA BANERJEE)
MEMBER (J)