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CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 99 OF 1996
Cuttack, this the 29th day of April, 1997

Nrusingha Charan Sahoo Applicant.

Vrs.

Union of India and others Respondents.

(FOR INSTRUCTIONS)

- 1) Whether it be referred to the Reporters or not? NO
- 2) Whether it be circulated to all the Benches of the No
Central Administrative Tribunal or not?

Somnath Singh
(S.SOM)
VICE-CHAIRMAN 29.4.97

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CENTRAL ADMINISTRATIVE TRIBUNAL,
CUTTACK BENCH: CUTTACK.

ORIGINAL APPLICATION NO. 99 OF 1996

Cuttack, this the 29th day of April, 1997

CORAM:

HONOURABLE SRI S.SOM, VICE-CHAIRMAN

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Nrusingh Charan Sahoo,
s/o late Dijabar Sahoo
At: Chakulipada,
P.O: Kilio,
PS: Nuagaon,
Dist: Jagatsinghpur

....

Applicant.

Vrs.

1. Union of India, represented through
the Chief Post Master General,
Orissa Circle, Bhubaneswar-751 001,
Dist. Khurda.

2. Senior Superintendent of Posts,
Cuttack City Division,
Cuttack-753 001

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Respondents.

Advocate for applicant - Mr.D.P.Dhalsamant.

Advocate for respondents- Mr.Ashok Mohanty.

ORDER

S.SOM, VICE-CHAIRMAN

In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has prayed for a direction to respondents 1 and 2 for payment of retirement benefits of his late father to him according to his entitlement. It is relevant to note that the applicant's father was working as Cash Overseer in Chandnichowk Post Office under Cuttack City Division. He died on 7.4.1994 leaving the applicant as his eldest son through his first wife and his widow (second wife) and four daughters and two sons through his second wife.

Somnath Som
29.4.97

The legal heir certificate (Annexure-2) issued by the Additional Tahasildar, Balikuda, gives details of the legal heirs of the applicant's father. The respondents in their counter have pointed out that the deceased Government employee, the applicant's father, had declared his second wife as the nominee to receive D.C.R.G. and as such the applicant has no claim to any proportionate share of D.C.R.G. Copy of the nomination has also been filed as Annexure R/1 to the counter. The above position is conceded by the learned lawyer for the applicant. As regards payment of Central Government Employees' Group Insurance Scheme amount, the respondents have correctly pointed out in the counter and this has also been conceded by the learned lawyer for the applicant that the amount due to be paid under the G.I.S. Scheme can be paid only to the widow and minor sons and unmarried daughters of the deceased Government employee. The applicant being a major son is not entitled to any share of that. The third item is the amount standing at the credit of the deceased Government employee under the G.P.F. Scheme. Under the Rules the applicant is entitled to a share of this and in the counter it has been submitted by the respondents that accordingly a letter has been issued to the applicant to receive his share of the G.P.F. balance of his father.

2. In consideration of the above, it is ordered that the respondents shall disburse to the applicant his share of the G.P.F. amount standing in the name of his father at the time of his death, as per Rules, after the proper documentation is made by him.

3. In the result, the application is allowed in part. No costs.

Somnath Singh
(S.SOM)
VICE-CHAIRMAN 29.4.97