

10. ORDER DATED 08-03-2001.

Shri S. Mohanty, learned counsel for the Applicant and Shri S. R. Patnaik, learned Additional Standing Counsel for the Railways are present. Heard both sides and perused the records.

The two applicants are the sons of the deceased railway employees Dhanoo Majhi. In this application they pray for issue of direction to the Respondents to release the gratuity, GIS, Leave salary etc. and other benefits of their late father in their favour. In the counter filed by the Department, it is stated that an amount of Rs. 10,048/- towards Provident Fund has since been paid to the deceased by order dated 19.3.1997. Learned counsel for the applicant does not dispute the same. So far as the other dues as legally admissible to the deceased and payable to the applicants as sons it has been admitted in the counter that service book of the deceased which was lost has since been reconstructed and the same has been sent to the Accounts Department for necessary action. In other words the Respondents admit that the deceased is entitled to the benefits like GIS, Leave salary gratuity etc. as per law.

In this view of the matter, the Respondents are directed to pay and disburse the gratuity, GIS, leave salary etc. of the deceased to the two applicants within a period of 120 days from the date of receipt of a copy of this order.

The Original Application is accordingly allowed. No costs.

(G. NARASIMHAM)
MEMBER (JUDICIAL)

free copies of final order dt. 8.3.2001
issued to counsels for
both sides.

S. S. (J)

22/3/01