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O.A. No. 227/04

ORDER DATED 14th JULY, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)
Hon'ble Mr. C.R. Mohapatra, Member (A)

This O.A. was filed originally with a prayer to quash the suspension order passed against the employee Shri U.C. Nag. During the pendency of this O.A., it is reported, the said employee died and the stand taken by the Department is that the employee was already dismissed from service. The legal heirs of the employee, viz., the widow and the children were substituted in this O.A. and now Mr. K.C. Kanungo, Ld. Counsel appearing for the applicants submits that since the Department has taken the stand that the employee has been dismissed from service and the monetary benefits available to the legal heirs ^{been} had already been disbursed by the Department, this O.A. can be dismissed as withdrawn.

2. On hearing Mr. S.K. Ojha, Ld. Counsel for the Respondents, we are of the view that the stand taken by the Ld. Counsel for the applicant is correct. Hence this O.A. stands dismissed as withdrawn. Dismissal of this O.A. will not stand in the way of the filing of any representation to the Department by the legal heirs for payment of arrears or any monetary benefits already accrued to the deceased employee.

Choudhury
Member (A)

Kappan

MEMBER (J)