

O.A. 42/2002

2

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

For Admissions -  
copy served.

Bench

30.1.02

For admission.

Bench

MY  
8/2/02

Order No.2 dated 11.2.2002

On the plea that the applicant's husband worked as <sup>a</sup> Daily Wager for more than 398 days (Annexure-2) and consequently is presumed to have acquired Temporary Status, the applicant seeks payment of G.P.F. and other pensionary benefits accruing to her late husband. On a perusal of the papers placed on record, we do not find any letter issued by the Respondents, which would show that Temporary Status had been conferred on the applicant's late husband, when the latter was alive. However, this is a matter based on facts and can still be looked into by the Respondents after scrutiny of their records. We are of the view that if, after the scrutiny of the documents as suggested, the Respondents find that the applicant late husband had indeed completed more than the prescribed number of days, they <sup>should</sup> ~~will~~ proceed to pass orders conferring Temporary Status on the applicant's late husband. Consequently such other benefits as might accrue to the applicant, being the widow of the late employee, might also be paid by the Respondents.

We have heard Shri D.N.Mishra, learned Standing Counsel for the Respondents, who has been served a copy of the present Original Application. He has no problem in <sup>respondent</sup> taking action indicated by us, as above. That being so, we dispose of the present Original Application with a direction to the Respondents to scrutinise their departmental records and pass orders regarding conferment of Temporary Status and grant of pensionary benefits in accordance with rules/instructions, as

2

| NOTES OF THE REGISTRY  | ORDERS OF THE TRIBUNAL   |
|--|--|
| <p>Free copy of the order dt. 11-2-02 given to the both counsel.</p> <p><i>Patra</i><br/>15/2</p> <p><i>P 15/2</i><br/>S-O</p><br><p>Free copy of the order dt. 11-2-02 with O.A. copies sent to all respondents by <i>Patra</i>.</p> <p><i>Patra</i><br/>20/2</p> <p><i>Patra</i><br/>S-O</p> | <p>expeditiously as possible, and in any event, within a period of three months from the date of receipt of copy of this order. Needless to add that while examining the applicant's claim, the respondents will treat the present Original Application as a representation filed on her behalf.</p> <p>The Original Application is disposed of in the aforesaid terms at the admission stage.</p> <div data-bbox="1039 763 1501 1096"><p><i>S. K. Teja</i><br/>MEMBER (ADMINISTRATIVE)</p><p><i>[Signature]</i><br/>MEMBER (JUDICIAL)</p></div> |