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O.A. No. 547/09

ORDER DATED 24th NOVEMBER, 2009

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)

Hon'ble Mr. C.R. Mohapatra, Member (A)

Heard Mr. S.K. Nayak, Ld. Counsel for the applicant and Mr. S. Mishra, Ld. Addl. Standing Counsel for the Respondents on whom a copy of the O.A. has already been served.

2. The applicant, wife of a Postal employee one Narahari Bhainsa has filed this Original Application for a direction to the Respondents to have the pensionary benefits and other dues of her deceased husband. Her husband died on 15.10.07. The employee was succeeded by the applicant and his children and also his mother one Kasturi Bhainsa. The said Kasturi Bhainsa died on 03.04.09. Immediately after the death of husband of the applicant, the applicant filed representation before the Respondents to have the dues to her family and she also applied to get the share of the amount of the Central Government Employees Group Insurance Scheme amount which stood against the name of Kasturi Bhainsa. But the Respondents have not yet taken any steps to disburse the said amount. Hence she filed the present Original Application with the following prayers:-

(i) The Respondent No.2 to 4 be directed to make joint effort so that the applicant can avail

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DCRG, CGEGIS amount and other service benefit of her late husband Narahari Bhainsa who had been serving as Mailman under the Respondent No.4.

- (ii) The Respondents may be directed to dispose of the representation pending before them and pass necessary order so as to enable the applicant to avail the DCRG, CGEGIS amount and other service benefit of her deceased husband.
- (iii) Any other relief or reliefs as this Hon'ble Tribunal deem just and proper."

3. We have heard the Ld. Counsel for the parties and perused the materials placed on record.

4. Since the matter has to be considered by the authorities more appropriately, we are of the view that the O.A. can be disposed of at this stage of admission with notice to the Respondents through Mr. S. Mishra, Ld. Addl. Standing Counsel for the Respondents. We also note that the applicant had already filed three representations on 21.07.09, 11.08.09 and 03.10.09 vide Annexures A/8, A/9 and A/10 respectively. She had narrated her claim in the said representations addressed to the Superintendent, R.M.S. 'K' Division, Jharsuguda and the Director of Accounts (Postal), Cuttack, respectively. The above addressees are also made as Respondents No.4 & 3 respectively.

5. In the circumstances, we feel that a direction can be issued to the said Respondents i.e., Respondents No.3 & 4 to take suitable action as per law and take final decision in

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this matter at the earliest, at any rate within 60 (sixty) days of the receipt of the copy of the order. Ordered accordingly.

6. Mr. S. Mishra, Ld. Addl. Standing Counsel for the Respondents can make efforts to take the copy of the order of this Tribunal along with copy of the O.A. for compliance. Accordingly, the O.A. is disposed of at the stage of admission itself. No costs.

Member (A)

Uxappan
MEMBER (J)

K.B.