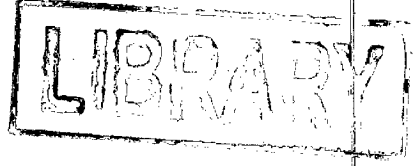


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH



No. OA. 350/361/2018

Date of Order: 19.06.2018

Present: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Bhanumati Dey, wife of late Nirod Baran Dey and mother of late Swapan Kumar Dey (Ex. Wireman under Executive Engineer, CPWD, Kolkata Central Electrical Division VII, National Library Complex, Alipore, Kolkata- 700027), aged About 56 years, residing at 14, Unique Park, Paresh Mazumdar Road, Kolkata- 700078.

.....Applicant.

-versus-

1. Union India, service through the Secretary, Ministry of Urban Development, Nirman Bhawan, New Delhi, Pin- 110011.

2. The Director General, Central Public Works Department (CPWD), Govt. of India, Nirman Bhawan, New Delhi- 110011.

3. The Additional Director General (ER-I), CPWD, Office of Chief Engineer (EZ-III), 234/4, A.J.C. Bose Road, Nizam Palace, Kolkata- 700020.

4. The Executive Engineer (P) E, Office of Chief Engineer (EZ-III), Central Public Works Department, 234/4, A.J.C. Bose Road, Nizam Palace, Kolkata- 700020.

5. The Executive Engineer (E), Kolkata Central Electrical Division – VII, CPWD, National Library Complex, Kolkata- 700027

6. The Pay and Accounts Officer, Pay and Accounts Office, CPWD (EZ), Ministry of Urban Development, Nizam Palace, Kolkata- 700020.

.....Respondents.

For the Applicant : Mr. K. Sarkar, Counsel
Ms. A. Sarkar, Counsel

For the Respondents : Mr. B. P. Manna, Counsel

ORDER (Oral)

Per Ms. Bidisha Banerjee, Judicial Member:

Heard Id. Counsel for both the parties.

2. The applicant is the mother of deceased Swapan Kumar Dey and there is no dispute about her status as such. There are no legal heirs left behind by the deceased. His marital status as a bachelor is evident from the records, except one entry regarding a "rural marriage" in the Service Book of the deceased employee which neither makes any sense nor poses an impediment for the mother to receive death benefits of her son.

3. Id. Counsel for applicant draws my attention to Annexure A-4 to the OA whereby the applicant Smt. Vanumati Dey was directed to submit succession certificate in regard to an amount of Rs. 15,20,709/- which she already submitted.

As it seems that there is no dispute ^{about} of the status of the applicant as mother of the deceased, the amount can be released in her favour.

4. Such being the position, the OA is disposed of with a direction upon the Pay and Accounts Officer, Pay and Accounts Office, CPWD i.e. Respondent No. 6 to release the benefits, in accordance with law to the applicant, the mother of the deceased as she would be entitled to, within 2 months.

5. Let family pension be also immediately released in accordance with law, in favour of the mother, within the said period and be paid month by month and every month along with arrears from due date.

6. Further, since there was no valid reason to withhold such benefits for so long, the arrears be released with an interest @6% p.a. from the due date.

7. The OA accordingly stands disposed of. No order as to costs.

noje
(Bidisha Banerjee)
Member (J)

pd

