

CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/01872/2015

Date of Order: 09.03.2016

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

Nobiran Bibi
Vs.
E. Rly.

For the Applicant : Mr. R. Mukherjee, Counsel

For the Respondents : Ms. SD Chandra, Counsel
Mr. PC Das, Counsel (Pvt. Res.)
Ms. T. Maity, Counsel (Pvt. Res.)

O R D E R (Oral)

Per Ms. Bidisha Banerjee, JM:-

This application has been filed by the applicant who is admittedly the second wife of the deceased employee, namely, Monnaf Seikh who expired on 14.09.2012. Annexure A-2 which is the communication dated 20.06.2014 would manifest that the authority i.e. Eastern Railway, Sealdah had taken a decision to disburse the payment towards settlement dues to the first wife and her children along with the second wife and the sons and daughters of the second wife of the deceased employee on the basis of certificate from Civil Authority i.e. B.D.O/S.D.O. The B.D.O of Magrahat-I, South 24 Parganas has already certified on 21.07.2014 that Nobiran Bibi is the wife of late Monnaf Saikh and further the B. D. O of Magrahat - I, South 24 Parganas on 08.08.2014 certified the details of legal heirs of late Monnaf Saikh as under:

"The details of legal heirs of late Monnaf Saikh is as follows:

1. Nobiran Bibi, W/O- Late Monnaf Saikh(wife)
2. Ruhulamin Saikh, S/O – Late Monnaf Saikh (Son)
3. Mansura Laskar, D/O – Late Monnaf Saikh(Daughter)
4. Abdul Matin Saikh, S/O- Late Monnaf Saikh(Son)
5. Pakija Bibi, D/O- Late Monnaf Saikh(Daughter)

6. Abdul Alim Saikh, D/O- Late Monnaf Saikh(Son)

Further an affidavit has been obtained from the Court of 1st Class Judicial Magistrate, Addl. Chief Medical Superintendent, Sonarpur, Diamond Harbour, South 24 Parganas for existence of following legal heirs:

<u>Sl No.</u>	<u>Name</u>	<u>Relation with the deceased</u>	<u>Date of Birth</u>
1.	Nobiran Bibi	Wife	28.10.1963
2.	Ruhulamin Saikh	Son	28.10.1984
3.	Mansura Laskar	Daughter	19.05.1986
4.	Abdul Matin Saikh	Son	06.05.1989
5.	Pakija Bibi	Daughter	10.07.1992
6.	Abdul Alim Saikh	Son	11.08.1996

2. In view of above and in my considered opinion, since the existence of the legal heirs of the deceased employee and dispute in regard their identity is adequately and satisfactorily resolved, I would direct the respondents to give a personal hearing to the all claimants and disburse their shares, within a period of 3 months from the date of communication of this order.
3. OA is accordingly disposed of. No costs.

(Bidisha Banerjee)
Member (J)

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