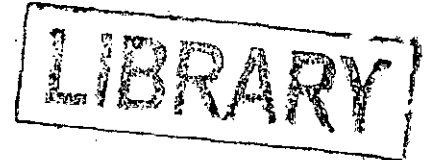


CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
KOLKATA



OA. 350/1371/2019

Date of Order: 04.10.2019

Present : Hon'ble Dr. Nandita Chatterjee, Administrative Member

Smt. Sabita Chakraborty, wife of late Kanu Chakraborty, aged about 83 years, by occupation Housewife, residing at Ambagan Colony, Palta, Post Office- Bengal Enamel, Dist- North 24 Parganas, Pin- 743122.

.....Applicant.

-versus-

1. Union of India, through the Secretary to the Government of India, Ministry of Defence, South Block, New Delhi- 110011.

2. Garrison Engineer (North), Military Engineer Services, 46 B. T. Road, Kolkata- 700050.

3. Smt. Bhabani Chakraborty (Biswas), Talpukur Basti, P.O. Talpukur, P.S. Titagarh, Kolkata- 700119.

4. The Commander Works Engineer (Suburb), Barrackpore, Military Engineer Services, P.O. Barrackpore, Kolkata- 700120.

.....Respondents.

For the Applicant : Mr. S. K. Dutta, Counsel

For the Respondents : Mr. R. Halder, Counsel

ORDER (Oral)

Per Dr. Nandita Chatterjee, AM:

Heard both Id. Counsel. Examined documents on record. This matter is taken up at the admission stage for disposal.

2. Ld. Counsel for applicant submits a copy of an inter departmental communication in which the Office of the EE, GE (North) Kolkata has responded to certain clarifications as asked for by the Administrative Officer-II for Commander Works Engineer. Ld. Counsel assures to furnish such documents with a covering memo for purposes of record.

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3. Mr. R. Halder, Id. Counsel for respondents, who had volunteered on 03.10.2019 to take instructions from the respondent authority, would draw attention to Annexure A-5 to the OA in which a communication dated 26.03.2019 is recorded. The said communication of the respondent authorities states that, as the deceased employee had declared his marriage with respondent no. 3 supported by his Marriage Registration Certificate, the spouse of the deceased employee is rightly entitled to family pension.

4. Id. Counsel for applicant does not dispute the grant of family pension as per law but insists that the applicant, who is the widowed mother of the deceased employee, is the rightful claimant of her share of the death benefits as nomination of DCRG and GPF are in favour of the applicant.

5. Annexure A-5 to the OA also reveals that the claim of terminal benefits of the deceased person would be intimated by the respondent authority on receipt of clarification sought by their Head Quarter Office. Accordingly, respondent authorities are directed to settle the claim of the deceased employee with the rightful beneficiaries as per their entitlement within a period of 16 weeks from the date of receipt of copy of this order.

6. Until the death benefits relating to DCRG, GPF, Group Insurance as well as leave salary are finally settled by the respondent authorities, the respondents shall not disburse any such death benefits without settling as per law, the claim of the applicant/widowed mother of the deceased employee.

7. The OA stands disposed of with the above directions. No costs.


(Dr. Nandita Chatterjee)
Member (A)