

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Ranjit Kumar Bag
& The Hon'ble Subesh Kumar Das

Case No – OA 822 OF 2017

BIMALA CHOWDHURY & ANR. Vs The State of West Bengal & Ors.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">2</p> <hr/> <p>09.04.2018</p>	<p>For the Applicant : Ms. Ishita Chakraborty Learned Advocate</p> <p>For the State Respondent: None</p> <p>The applicant has prayed for giving direction upon the respondents to release the amount of Group Insurance under the scheme in favour of the applicant.</p> <p>None appears on behalf of the State respondents inspite of service of notice as reflected from the affidavit of service filed on behalf of the applicants.</p> <p>It appears from the materials on record that one Nirmal Chowdhury died on December 11, 2012 while he was working as Medical Officer of Sagar Dutta Medical College and Hospital. The contention of the applicants is that the applicant No. 1 being the mother of late Nirmal Chowdhury is the only legal heir, as Nirmal Chowdhury was divorcee. By issuing letter dated November 17, 2016, the respondent No. 3 asked the applicant No. 1 to produce Succession Certificate for receiving arrears of salary of Nirmal Chowdhury and for receiving amount of Group</p>	

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	<p>Insurance-cum-savings under the scheme of 1987. Learned Counsel representing the applicants submits that the insurance part of Group Insurance Scheme envisaged under West Bengal State Government Employees (Group Insurance-cum-Savings) Scheme, 1987 has not yet been released by the respondent No. 3.</p> <p>On consideration of the Group Insurance-cum-Savings Scheme, 1987, we find that the amount of insurance money in case of death of the employee while in service will be paid to the legal heirs in equal share on furnishing of indemnity bond, if there is no nomination of the concerned employee. In the present case, the deceased employee, Nirmal Chowdhury used to deduct Rs. 80/- (Rupees eighty only) per month from his monthly salary for the purpose of group insurance-cum-savings and as such, the legal heirs of Nirmal Chowdhury are entitled to receive Rs. 80,000/- (Rupees eighty thousand only) as the amount of Group Insurance under the scheme of 1987. Since the applicant No. 1 is the only legal heir of the deceased Nirmal Chowdhury and since the amount of Rs. 80,000/- (Rupees eighty thousand only) has not been released after death of Nirmal Chowdhury in favour of the applicant No. 1, we are of the view that the applicant No. 1 is entitled to get the said amount of Rs. 80,000/- (Rupees eighty thousand only) on furnishing of indemnity bond, as there is no nomination in the instant case by the deceased</p>	

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SCN.	<p>Nirmal Chowdhury.</p> <p>In view of our above findings we direct the respondent No. 3, Medical Superintendent-cum-Vice Principal of Sagar Dutta Medical College and Hospital to release the amount of Group Insurance of Rs. 80,000/- (Rupees eighty thousand only) in favour of the applicant No. 1, Shrimati Bimala Chowdhury on her furnishing indemnity of bond within a period of twelve weeks from the date of communication of the order. The respondent No. 3 will not insist on production of Succession Certificate by the applicants for the purpose of releasing the amount of Group Insurance.</p> <p>With the above direction the original application is disposed of.</p> <p>The applicant is directed to serve copy of this order along with copy of the original application on the respondent No. 3, within a period of two weeks from the date of this order.</p> <p>Let a plain copy of the order be supplied to the applicant.</p> <p>(S.K. Das) MEMBER (A)</p> <p>(R.K. Bag) MEMBER (J)</p>	