

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – **OA 1178 of 2017**

Lakshmi Murmu & Ors. 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
02 07.02.2019	<p>For the Applicants : Md. Nure Zaman, Learned Advocate.</p> <p>For the Respondent : Mr. S.N. Ray, Learned Advocate.</p> <p>For the AG (A&E),WB : Mr. B. Mitra, Departmental Representative.</p> <p>The applicants have prayed for direction upon the respondents for disbursement of death gratuity, GPF, group insurance and all other retiral benefits of the deceased Government employee, Malati Murmu in favour of the applicants.</p> <p>It appears from the materials on record that Malati Murmu died on December 21, 2008 when she was working as Krishi Shramik in Block Seed Firm, Illambazar in the establishment of Assistant Director of Agriculture, Bolpur, Birbhum. The contention of the applicants is that the applicants are the legal heirs of deceased Malati Murmu. The legal heirship certificate in this regard was issued by Additional District Magistrate (General), Birbhum on May 26, 2017. The grievance of the applicants is that the applicants have not yet received death gratuity, GPF and the amount of group insurance and other retiral benefits of the deceased employee.</p> <p>Having heard Learned Counsel for the applicant, Learned Counsel for the state respondents and the Departmental Representative of the respondent AG, West Bengal, we find that the applicants are the legal heirs of the deceased employee</p>	

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Malati Murmu. It is not disputed that the amount of death gratuity and GPF and the amount of group insurance have not been disbursed in favour of the applicant till date. With regard to the prayer of the applicants for release of all other retiral benefits of the deceased Malati Murmu, we are not in a position to entertain such prayer as the prayer is completely vague. It is the duty and obligation of the respondents to disburse the amount of GPF, amount of group insurance and the amount of death gratuity of the deceased Malati Murmu in terms of the Rule 98 (1) of West Bengal Services (Death-cum-Retirement Benefit) Rules, 1971 read with Memorandum No. 2F (Pen) dated January 6, 1994 issued by the Finance Department, Audit Branch; Pension Cell, Government of West Bengal.

Accordingly, we direct the respondent no. 5, Director of Agriculture, Government of West Bengal to take necessary steps for disbursement of the amount of death gratuity, amount of GPF and the amount of group insurance of the deceased Malati Murmu in favour of the applicants within a period of 12 (twelve) weeks from the date of communication of the order.

With the above direction, the original application stands **disposed of.**

Let a plain copy of this order be supplied to all the parties.

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib

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