

ORDER SHEET
WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

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

Case No – OA 570 OF 2018

Jamuna Saha 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
01 30.08.2018	<p>For the Applicant : Mr. B. Tiwari, Learned Advocate.</p> <p>For the Respondents : Mr. M.N. Roy, Learned Advocate.</p> <p>The applicant has prayed for direction upon the respondents for release of death benefit of her deceased son.</p> <p>The applicant claims to be the mother of one Milon Kumar Saha who died on April 26, 2017 while he was working as Constable of Kolkata Armed Police. The contention of the applicant is that she was totally dependent on the income of her son. The further contention of the applicant is that two sisters and two nephews of deceased son of the applicant were also dependent on the income of the son of the applicant. The grievance of the applicant is that the applicant has only received the Death Gratuity and the daughter-in-law of the applicant has received the other retirement benefits.</p> <p>Mr. M.N. Roy, Learned Counsel representing the state respondents, has placed on record statement of facts supported by copy of relevant documents and submitted that all retirement benefits have already been disbursed in favour of the wife of the deceased employee, who happens to be the nominee of the</p>	

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deceased employee for receiving the said benefits. He further submits that the present applicant has received the entire amount of Death Gratuity of her deceased son as the applicant was made nominee for receiving Death Gratuity by the deceased employee.

On consideration of the documents annexed to the statement filed on behalf of the state respondents, we find justification in the submission made by Mr. Roy. Since the state respondents have disbursed the retirement benefits in favour of the nominee of the deceased Government employee, we are of the view that the applicant is not entitled to get any relief in the present application. Accordingly, the present application is **dismissed.**

(S.K. DAS)
MEMBER(A)

(R. K. BAG)
MEMBER (J)

Sanjib