ORDER SHEET WEST BENGAL ADMINISTRATIVE TRIBUNAL

Present-

Hon'ble Justice Soumitra Pal, Hon'ble Dr. Subesh Kumar Das, Hon'ble Chairman & Administrative Member.

Case No. OA 656 of 2019.

Case No. OA 656 of 2019. SMT. SUMITA MURMU (HEMBRAM) – VERSUS- THE STATE OF WEST BENGAL & ORS.		
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13.12.2019.	For the Applicant : Mr. S. Ghosh, Mr. R.K. Mondal,	
10112120101	Advocates.	
	For the State Respondents : Mrs.S. Agarwal,	
	Advocate.	
	For the Principal Accountant	
	General (A & E) W.B. : Mr. B. Mitra, Departmental representative.	
	In this application, Sumita Murmu	
	(Hembram), the applicant has prayed for several reliefs,	
	the relevant portion of which is as under :-	
	"(a) An order do issue directing the	
	concerned respondent authorities to forthwith grant and	
	disburse the Death Gratuity, Leave Salary, G.I.S., G.P.F., to	
	your applicant herein, and interest @ 18% p.a. till the	
	date of actual realization of the same in accordance with	
	law, within stipulated time.	
	(b) An order do issue directing the	
	concerned respondent authorities to dispose of the	
	representation dated 08.06.2012 in accordance with law	
	by passing a reasoned and speaking order within a	
	stipulated time period".	
	It appears that Nirmala Hembrom, an	

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	employee in the office of Block Medical Officer of Health,	
	Nalhati-I, Block Primary Health Centre, Birbhum had	
	expired on 24 th May, 2011 while in service. At the time of	
	death, Nirmala Hembrom had left the applicant and	
	Jogesh Chandra Murmu as her legal heirs and successors.	
	Be it mentioned that during subsistence of the first	
	marriage, Jogesh Chandra Murmu married Nirmala	
	Hembrom and out of such wedlock the applicant was	
	born. In this application, the applicant has prayed for	
	disbursement of Death Gratuity, Leave Salary, G.I.S,	
	G.P.F. and other retiral benefits of Nirmala Hembram	
	along with interest and for consideration of the	
	representation dated 8 th June, 2012.	
	Mr. S. Ghosh, learned advocate appearing	
	on behalf of the applicant submits that since the	
	Collector, Birbhum, by order dated 16 th January, 2012 has	
	held that Jogesh Chandra Murmu and the applicant	
	respectively are the husband and daughter of Nirmala	
	Hembram and as the Block Medical Officer of Health, the	
	respondent no. 4 by letter dated 15 th December, 2014	
	has requested the Principal Accountant General (A & E)	
	West Bengal to take necessary steps to issue permission	
	for grant of death benefits of late Nirmala Hembram as	

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	per law, appropriate order may be passed. Referring to	
	page 18 of the application, it is submitted that the	
	applicant is entitled to get Rs. 10,86,470/- as leave salary,	
	death gratuity and Group Insurance and interest as	
	calculated thereon. Submission is that as during the	
	pendency of the application, the Accounts	
	Officer/Pension Cell-I by letter dated 12 th September,	
	2019 has requested the BMOH, Nalhati-I Block – the	
	respondent no. 4 to resubmit the pension case after due	
	compliance of formalities and to resubmit the pension	
	papers along with Service Book and other relevant	
	documents, appropriate order may be passed.	
	Submission is that the applicant has already submitted	
	the pension papers along with Service Book for	
	disbursement of the dues.	
	Mrs. S. Agarwal, learned advocate for the	
	State respondent submits that though letter dated 12 th	
	September, 2019 has been issued by the Accounts	
	Officer, ,however by letter dated 1 st November, 2019 the	
	respondent no. 4 has requested Jogesh Chandra Murmu	
	and the applicant to produce succession certificate.	
	Mr. B. Mitra, the departmental	
	representative supports the stand taken by the State	

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	authorities.	
	Having heard the parties and considering	
	the facts and circumstances of the case, since we find	
	that the Accounts Officer, Pension Cell by letter dated	
	12 th December, 2019 has requested the Block Medical	
	Officer of Health, Nalhati BPHC, Birbhum, to resubmit the	
	pension case along with the Service Book of the deceased	
	and other relevant documents and as it is submitted by	
	the learned advocate for the applicant that all documents	
	have been submitted, considering such fact , the	
	application is disposed of by directing the Block Medical	
	Officer of Health, Nalhati-I BPHC, Birbhum the	
	respondent no. 4 to send the Service Book and other	
	relevant documents to the Principal Accountant General	
	(A & E) West Bengal, - the respondent no. 5, within	
	twelve weeks from the date of presentation of a copy of	
	this order. If it is found that documents are still wanting,	
	in that event the respondent no. 4 shall intimate the	
	applicant about the documents to be furnished	
	specifically within a week from the date of being apprised	
	of this order and the applicant shall furnish those	
	documents within a week thereafter. After the	
	documents are placed before the Principal Accountant	

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	General, the Principal Accountant General (A & E) West	
	Bengal, – the respondent no. 5, shall take a decision by	
	passing a reasoned order to be communicated to the	
	parties within ten weeks after verifying the records.	
	Let copies of the documents dated 12 th	
	September, 2019 and 1 st November, 2019, filed on behalf	
	of the parties, be kept on record.	
	(Subesh Kumar Das) (Soumitra Pal) Member (A). Chairman.	
Skg.		