



**ORDER SHEET**

Form No.

SMT. SUMITA MURMU (HEMBRAM ).

**Vs.**

THE STATE OF WEST BENGAL &amp; ORS

Case No. OA 656 of 2019.

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>employee in the office of Block Medical Officer of Health, Nalhati-I, Block Primary Health Centre, Birbhum had expired on 24<sup>th</sup> 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<sup>th</sup> June, 2012.</p> <p>Mr. S. Ghosh, learned advocate appearing on behalf of the applicant submits that since the Collector, Birbhum, by order dated 16<sup>th</sup> 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<sup>th</sup> December, 2014 has requested the Principal Accountant General (A &amp; E) West Bengal to take necessary steps to issue permission for grant of death benefits of late Nirmala Hembram as</p>	

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	<p>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<sup>th</sup> 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.</p> <p>Mrs. S. Agarwal, learned advocate for the State respondent submits that though letter dated 12<sup>th</sup> September, 2019 has been issued by the Accounts Officer, ,however by letter dated 1<sup>st</sup> November, 2019 the respondent no. 4 has requested Jogesh Chandra Murmu and the applicant to produce succession certificate.</p> <p>Mr. B. Mitra, the departmental representative supports the stand taken by the State</p>	

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	<p>authorities.</p> <p>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<sup>th</sup> 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 &amp; 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</p>	

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Skg.	<p>General, the Principal Accountant General (A &amp; 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.</p> <p>Let copies of the documents dated 12<sup>th</sup> September, 2019 and 1<sup>st</sup> November, 2019, filed on behalf of the parties, be kept on record.</p> <p>(Subesh Kumar Das) Member (A).</p> <p>(Soumitra Pal) Chairman.</p>	