

WEST BENGAL ADMINISTRATIVE TRIBUNAL

Bikash Bhavan, Salt Lake, Kolkata – 700 091.

Present-

The Hon'ble SAYEED AHMED BABA, Member (A)

Case No. – OA-516 of 2019

Rita Ram VERSUS – The State of West Bengal & Ors.

Serial No. and Date of order	For the Applicant	:	Mr. B.P. Roy, Learned Advocate.
<u>14</u> 23.06.2022	For the State Respondent	:	Mr. S.N. Roy, Learned Advocate.
	For the Pr. A.G.W.B.	:	Mr. B. Mitra.

In this application, the applicant submits that her deceased husband was employed as G.D.A. at Medical College & Hospital, Kolkata. The deceased husband died in harness on 21.03.1997 in road accident. Soon after the death of the husband, the applicant applied for a job under compassionate ground including release of family pension on 16.04.1997.

During the pendency of the application, the applicant found out that Private respondents No. 6 & 7 also claimed for similar benefits. The matter for succession was decided in the Court of Civil Judge (Junior Division) 3rd Court, Sealdah in T.S. 196/2004 which declared that the applicant Rita Ram is the legally married wife of the deceased Pawan Ram and is entitled to get the benefits.

“ Depositions of the witnesses had been inter alia pleased to hold vide its Order dated 20.11.2017 that Smt. Rita Ram is thelegally married wife of the deceased Paban Ram..... and is entitled to death benefits being the death gratuity, group insurance and GPF balance of premature death of deceased Paban Ram...., and rejected the private respondent Nos. 6 & 7 in the instant Original Application.”

Pursuant to this order, the Respondent No. 2 issued a direction on Respondent No. 4 for releasing the death benefits to the applicant. But nothing has been released by the Respondent authorities to the applicant so far. But it also appears from the record that earlier on 18.06.2018, the Medical Superintendent-cum-Vice Principal of Medical College and Hospital

Vs.

The State of West Bengal & Ors.

informed the Director of Health Services that as per Succession Certificate No. 1824 dated 07.05.2001 from the District Delegate, Howrah. Smt. Kalpana Das (Ram) wife of the late Paban Ram has already received all death benefits.

It appears from the reply by the private respondent No. 6 that she has the rightful claim and the Civil Court, Howrah has decreed that She Kalpana Das (Ram) is the claimant and only legal heir of Late Paban Ram and the death benefits has rightly disbursed to her. Moreover, a compassionate job was also given to her son.

Let the matter be listed for hearing on **27.07.2022**.

SAYEED AHMED BABA
MEMBER (A)

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