

**ORDER SHEET**

**WEST BENGAL ADMINISTRATIVE TRIBUNAL**

**Present-**

**The Hon'ble JUSTICE RANJIT KUMAR BAG  
& The Hon'ble DR. SUBESH KUMAR DAS**

**Case No – OA 1040 OF 2017**

*Swarnali Nanda* 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
<p style="text-align: center;">06</p> <hr/> <p>01.10.2018</p>	<p><i>For the Applicant : Mrs. B. Sarbajna, Learned Advocate.</i></p> <p><i>For the State Respondents : Mr. S. Ghosh, Learned Advocate.</i></p> <p><i>For Respondent No. 7 : Mr. D. Ghorai, Learned Advocate.</i></p> <p><i>The applicant has prayed for direction upon the respondents to release entire amount of cash equivalent to leave salary of her deceased father.</i></p> <p><i>The contention of the applicant is that her father Dr. Gopal Krishna Nanda died on March 27, 2015 while he was working as Homeopathic Medical Officer at Dantan Primary Health Centre. The District Magistrate &amp; Collector, Paschim Medinipur has decided on June 18, 2015 that the present applicant and the respondent no. 7 are the legal heirs of the deceased Dr. Gopal Krishna Nanda. The grievance of the applicant is that the respondents have not disbursed amount of leave encashment in favour of the applicant though the applicant is the legal heir of the deceased government employee.</i></p> <p><i>Having heard Learned Counsel representing the</i></p>	

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*respective parties and on consideration of the memorandum No. 4791-F(P) dated June 08, 2012 issued by the Finance Department, Audit Branch, Government of West Bengal, we find that the applicant being married daughter of the deceased government employee is not entitled to leave salary so long as dependent parent of the deceased government employee is alive. In the instant case, the respondent no. 7 is the dependent mother of the deceased government employee and as such the applicant being the married daughter is not entitled to get cash equivalent to leave salary, of the deceased government employee in terms of memorandum dated June 08, 2012 issued by the Finance Department, Audit Branch, Government of West Bengal.*

*In view of our above findings, the original application is dismissed*

**( S.K.DAS )  
Member ( A )**

**( R.K.BAG )  
Member ( J )**

H.S

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