

**ORDER SHEET****WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

**The Hon'ble Justice Soumitra Pal,  
& The Hon'ble Dr. Subesh Kumar Das.**

**Case No –OA-634 of 2018.****Smt. Bani Majumder. –Vs- The State of West Bengal & Others.**

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;"><u>2</u> 22.01.2019.</p>	<p><b>For the Applicant : Mrs. Susmita Dey (Basu), Advocate.</b></p> <p><b>For the Respondents : Mr. Soumendra Narayan Ray, Advocate.</b></p> <p>In this application, Bani Majumder - the applicant - stated to be the wife of Debabrata Majumder has prayed for several reliefs, the relevant portion of which is as under :</p> <p style="padding-left: 40px;"><i>“.....a) Mandatory order may be passed directing the respondents to disburse the terminal benefits of her late husband, Debabrata Majumder, ex-night guard of the respondent no. 3 to the applicant being the only legal heir of the deceased employee as was done in the case of the funeral expenses remitted directly to the applicant.</i></p> <p style="padding-left: 40px;"><i>b) Mandatory order may be passed directing the respondents to intimate the applicant the exact amount lying in the credit of her deceased husband, Debabrata Majumder, ex-night guard of the respondent no. 3 towards</i></p>	

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	<p style="text-align: center;"><i>terminal benefits so that succession certificate may be obtained by the applicant in a competent court of law.</i></p> <p style="text-align: center;">....."</p> <p>It appears from the application that the applicant had married Debabrata Majumder on 27<sup>th</sup> November, 2011. Debabrata Majumder expired on 8<sup>th</sup> January, 2012. It also appears that the applicant had previously married one Nirmal Chandra Majumder on 7<sup>th</sup> May, 1980 who had expired on 12<sup>th</sup> June, 2010. Out of the said wedlock with Nirmal Chandra Majumder, Panchali Majumder and Chandrani Majumder were born who are now married and settled. The daughters born out of the first marriage have given up the claim to the terminal benefits of Debabrata Majumder. It appears that after the death of the first husband, the applicant had married Debabrata Majumder. It also appears from the application that one Partha Majumder, claiming to be the nephew of Debabrata Majumder, questioned the marriage of the applicant with Debabrata Majumder. Partha Majumder had expired on 22<sup>nd</sup> November, 2015 as evident from the death certificate appearing at page 42 of the application. It is submitted by Mrs. Susmita Dey (Basu), learned advocate for the applicant that the respondents may be</p>	

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Sourav	<p>directed to intimate the quantum of terminal benefits payable to the applicant due to the death of Debabrata Majumder for obtaining succession certificate.</p> <p>Mr. Soumendra Narayan Ray, learned advocate for the respondents submits if directed the respondents shall intimate the quantum of terminal benefits of late Debabrata Majumder to the applicant after verifying the records.</p> <p>Having heard Mrs. Dey (Basu), and Mr. Ray, learned advocates for the parties and considering the facts and circumstances of the case, this application is disposed of by directing the Administrative Officer, Central Dairy, Government of West Bengal, Kolkata - the respondent no. 6 to intimate the quantum of terminal benefits of late Debabrata Majumder to the applicant within eight weeks from the date of presentation of a copy of this order after verifying the records.</p> <p>(DR. SUBESH KUMAR DAS) MEMBER (A)</p> <p>(SOUMITRA PAL) CHAIRMAN</p>	