

(2011) 08 JH CK 0128

In the Jharkhand High Court

Case No : Writ Petition (S) No. 1865 of 2011

Suchita Kriplani

APPELLANT

Vs

The State of Jharkhand and Others

RESPONDENT

Date of Decision : 24-08-2011

Acts Referred:

Citation : (2011) 08 JH CK 0128

Hon'ble Judges : Rakesh Ranjan Prasad, J

Bench : Single Bench

Judgement

R.R. Prasad, J.—Heard the parties.

2. The petitioner has moved this Court for a direction to the authority to make payment of death-cum-retiral benefits payable to the deceased husband to her.

3. As per the statements made in the counter affidavit, 50% of the amount of death-cum-retiral benefits have been given to the first wife - respondent no. 6 whereas, a decision has been taken for making payment of rest of 50% amount to the son and daughter of the petitioner, being the second wife of the deceased employee.

Further, it has been stated that so far the matter relating to payment of amount to be payable towards G.P.F., a decision has been taken for making payment of 50% of the amount of G.P.F. to the petitioner as she had been made nominee by the deceased employee and rest 50% would be paid to Rohit Raj, the son of the first wife (respondent no. 6) of the deceased employee. The decision which has been taken by the State authority in consonance with the Circular No. BC-1 Misc.-41/92/10059/V dated 06.09.1986.

As per the said Resolution, the petitioner - second wife of the deceased employee, is not entitled to get death-cum-retiral benefits.

4. Since death-cum-retiral benefits have been given to the persons who were entitled to get the same, no order needs to be passed in favour of the petitioner

who being the second wife is not entitled to get the benefits of death-cum-retiral benefits except the payment which is to be made towards G.P.F. as the petitioner had been made nominee by the deceased employee, which amount be paid to the petitioner within a period of two months from the date of receipt/ production of a copy of this order.

5. With the aforesaid observations and directions, this writ petition stands disposed of.