

**Bimla Lal Begln Vs. the Mineral Area Development Authority Through Its Managing Director and ors**

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**SooperKanoon Citation :** [sooperkanoon.com/1027618](http://sooperkanoon.com/1027618)

**Court :** Jharkhand

**Decided On :** Sep-10-2013

**Appellant :** Bimla Lal Begin

**Respondent :** The Mineral Area Development Authority Through Its Managing Director and ors

**Judgement :**

INTHEHIGHCOURTOFJHARKHANDATRANCHI W.P.(S)No.2332of2013  
BimlaLalBegin.....Petitioner Versus  
MineralAreaDevelopmentAuthority&others.....Respondent.  
CORAM:HONBLEMR.JUSTICEAPARESHKUMARSINGH ForthePetitioner  
:Mr.P.K.Mukhopadhyay,Adv. FortheRespondents :M/s.BhaweshKumar,RaviKumar  
&Kr.RahulKamlesh,Advs. 02/10.9.2013 Heardlearnedcounselfortheparties.  
ThepetitionerissaidtobethewidowofLateRichhpallLal  
Begi,issaidtohavediedon16thMay,2012afterhavingretired  
fromtheservicesofRespondentsM.A.D.A.,Dhanbadonthe post  
ofMateunderJhariaHealthCircle,M.A.D.A.on31stDecember, 2011.  
Thegrievanceofthepetitioneristhatthedeathcumretiral  
duesofthedeceasedemployeeaswellasarrearsofservicedues  
suchasgratuity,dearnessallowance,interimreliefbenefitsof pay revision and A.C.P.  
as well as other admissible dues with 12% interest have not been paid as yet,

though she has made representation before the Respondents M.A.D.A. vide Annexure 3. Learned counsel for the Respondents M.A.D.A. submit that if the petitioner approaches the Managing Director, MADA, respondent no.2 with fresh representation for redressal of her aforesaid grievances, the same shall be considered in accordance with law as also the scheme framed for retired employee/deceased employee of MADA. In these circumstances, in a matter relating to payment of death cum retiral benefit, without commenting upon the claim of the petitioner, the writ petition is disposed of with liberty to the petitioner to approach the Managing Director, Mineral Area Development Authority, Dhanbad, respondent no.2 with a fresh representation for redressal of her aforesaid grievances, with all supporting facts and documents, within a period of three weeks. On receipt of such representation, the Managing Director, M.A.D.A., Dhanbad, respondent no.2 shall consider the same in accordance with law and after proper verification of the service records of the deceased employee, pass a reasoned and speaking order, within a period of twelve weeks thereafter, which shall also be communicated to the petitioner. If the claim of the petitioner on account of death cum retiral benefit, and other service arrears are found to be genuine and legally admissible, the same shall also be disbursed to her in accordance with the scheme applicable to such retired employees/deceased employee of MADA along with statutory interest, if any. The writ petition is disposed of with the aforesaid observations and directions. (Aparesh Kumar Singh, J) jk