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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
PRINCIPAL BENCH,
NEW DELHI.

Date of Decision : 23.09.92

OA 2438/92

Ms. TARAWATI & ORS.
Through Shri Chhida Lal

... APPLICANTS.

Vs.

UNION OF INDIA & ANR.

... RESPONDENTS.

CORAM:

THE HON'BLE SHRI J.P. SHARMA, MEMBER (J).

For the Applicant

... SHRI B.S. MAINEE.

For the Respondents

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1. Whether Reporters of local papers may be allowed to see the Judgement ? yk
2. To be referred to the Reporters or not ? yjs

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE SHRI J.P. SHARMA, MEMBER (J).)

The applicants who are all minors are represented through the guardian Shri Chhida Lal appointed by the Civil Court by the order dated 2.6.92. The judgement of the same has also been annexed with the Original Application as Annexure A-2. It is also mentioned in the judgement that the appointed guardian will give proper account of the estate of the minors and the minors shall also be entitled to take account from the said guardian on attaining majority. There is also an averment of a fact in the judgement that the said guardian has been authorised to approach to employer of the deceased employee i.e. the respondents for receipt all the

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terminal benefits, pension, gratuity, GPF etc. which fall due to the deceased employee on account of his death in harness. In the present application, the applicants through their next friend prayed for the payment of the dues of their deceased father and also that one of the sons of the late employee be given suitable job on compassionate ground. It is also evident from the Annexure A-3 filed with the application that on 10.6.92 the appointed guardian by the court had made a representation to the Divisional Railway Manager, Northern Railway, New Delhi for the payment of settlement dues of the deceased employee, Shri Duli Chand, and also to consider the compassionate appointment of one of the sons of the deceased employee.

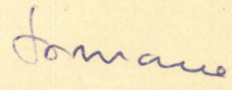
After having heard the learned counsel for the applicant, in the interest of expeditious settlement of the claim of the deceased employee, Shri Duli Chand, and the payment thereof to the appointed guardian for the benefit of the minors, a direction can be issued at this stage to the respondents to decide the representation within a period of two months from the date of receipt of a copy of this judgement which shall be handed over by the said guardian in the office of the respondents. If the matter is entertained and the notice are issued to the respondents that may take longer time than the above process envisaged. The main contention of the learned

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counsel for the applicant is that after the death of the deceased employee the minors are left as destitute without any guardian to look after them.

In view of the above facts, a direction is issued to the respondents i.e. Divisional Railway Manager, Northern Railway, New Delhi to dispose of the representation of Shri Chhida Lal filed on behalf of minors dated 10.6.92 within a period of two months. A copy of the said representation dated 10.6.92 shall also be annexed by the said guardian alongwith a copy of the judgement which he will deliver in the office of the DRM, Northern Railway, New Delhi. On receipt of the same the DRM will get said representation disposed of at the earliest within a period of two months. The amount found due as terminal benefits to the late employee Shri Duli Chand be also paid to the said guardian within that period.


(J.P. SHARMA)
MEMBER (J)
23.09:92