

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

D.A.3106/92

Date of Decision: 20.08.93

Union of India

... Respondents

Th
Versus

Shri Gayadin & Others

... Applicant

Coram :

Hon'ble Mr J.P. Sharma, Member (J)

Hon'ble Mr S. Gurusankaran, Member (A)

For the Respondents: Sh H.K. Gangwani, Counsel

For the Applicant : Shri S.K. Sahani Advocate.

Judgement (Oral)

The Union of India in this D.A. has challenged the order passed by the Central Industrial Tribunal from Labour Court dated 7th February, 1992 by which the deceased employee Shri Gayadin was awarded the relief for Rs. 9,649/- . From the date of the Order of filing the D.A. the deceased shall also be entitled to the interest rate of 12% per annum till the actual date of payment, on the amount paid to him.

Notice was issued to the respondents for the compliance of the order but it is reported that he is dead. The applicant is said to have ~~been~~ died before filing of this D.A. and therefore, is not maintainable.

It is made clear that Shri S.K. Sahani has filed the reply on behalf of the beneficiaries of the deceased employee Smt Sarjo Devi and Dhawan Raj who are said to be legal heirs of the deceased employee. The Union of India has moved M.P. But subsequently that M.P. was withdrawn.

Since the institution of this application is not in accordance with the law, since the dead person has been wrongfully impleaded as party in the application, this O.A. is, therefore, dismissed. However, it is made clear that the beneficiaries (LR) of the deceased ^{are} ~~is~~ entitled to the amount decreed in favour of the deceased employee by the Industrial Tribunal/Labour Court.

Gurusankaran
20/8/93
(S. Gurusankaran)

Member (A)

J. P. Sharma
(J. P. Sharma)
Member (J) 20/8.

sss