

**CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH**

**OA/020/210/2021**

HYDERABAD, this the 11<sup>th</sup> day of March, 2021

**Hon'ble Mr. Ashish Kalia, Judl. Member  
Hon'ble Mr. B.V. Sudhakar, Admn. Member**



Rajana Lakshmi, D/o.RajanaAppanna,  
Ex. Helper/S&T/Works/Rajahmundry,  
Quarters No.833C, Green Park Colony,  
Boggulane Railway Quarters,  
Vijayawada – 520 001, A.P.

...Applicant

(By Advocate :Sri B. Rajesh Kumar)

Vs.

1. Union of India, Ministry of Railways rep. by its  
The General Manager,  
South Central Railway, Rail Nilayam,  
Secunderabad, TS.
2. The Divisional Railway Manager,  
South Central Railway,  
Vijayawada Division – AP.
3. The Sr. Divisional Personnel Officer,  
South Central Railway,  
Vijayawada Division –AP.
4. The Chief Vigilance Officer,  
South Central Railway,  
Rail Nilayam, Secunderabad.
5. Shri P. Nehmiya,  
The then Sr. Welfare Inspector,  
And Retired Sr. Divisional Personnel Officer,  
South Central Railway,  
Vijayawada Division, AP.
6. R. Madhavi, D/o. Varalamma,  
Aged about 45 years,  
Design: Khalasi/Electrical Department/SC Rly,  
House No.19-13/5-16,  
Old Rajarajeswari pet – Vijayawada, AP.

....Respondents

(By Advocate: Sri S.M. Patnaik, SC for Rlys.)

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**ORAL ORDER**  
**(As per Hon'ble Mr. B.V. Sudhakar, Administrative Member)**

**Through Video Conferencing:**

2. The OA is filed in regard to compassionate appointment and settlement benefits on the death of the father of the applicant.

3. Brief facts of the case are that the applicant is the daughter of the 1<sup>st</sup> wife of the deceased employee who worked for the respondents organisation as Khalasi. The death benefits and compassionate appointment were granted in favour of the deceased employee's late 2<sup>nd</sup> wife and her daughter. The applicant claims that the 2<sup>nd</sup> wife and her ward are not entitled for death benefits including compassionate appointment and that, as daughter of the 1<sup>st</sup> wife, she has a claim over the benefits. Without considering the factual matrix and not following law in regard to obtaining a decree from the competent court in respect of the legal heir, respondents proceeded to favour the 2<sup>nd</sup> wife. Aggrieved, the OA is filed.

4. The contentions of the applicant are that as per Railway Board Memo vide RBE 70/2014 the second wife is not entitled for death benefits. Further the name of the father of the applicant was shown as R.Veeranna in the settlement form whereas in the service record it is recorded as R.Venkanna. The applicant claims that the compassionate appointment granted in favour of the daughter of the 2<sup>nd</sup> wife should be cancelled including death benefits in view of the patent illegality committed by the respondents.

5. Heard both the counsel and perused the pleadings are record.

6. The dispute is about disbursement of the death benefits and grant of compassionate appointment. Applicant states that she is the daughter of the 1<sup>st</sup> wife of the deceased employee who passed away while working for the respondents organisation. However, respondents released the death benefits and compassionate appointment in favour of the 2<sup>nd</sup> wife and her daughter, though there is a blatant error even in respect of the name of the deceased employee. Applicant claims that the decision to favour the 2<sup>nd</sup> wife is against the RBE No. 70/2014 and also that they did not seek any legal heir certificate from the competent court to decide the issue.

7. Ld. Counsel for the applicant prayed for disposal of a representation that would be made to the respondents. As prayed, we direct the applicant to submit a comprehensive representation stating the rules and law which support her cause within 2 weeks from the date of receipt of this order. On receipt of the representation, respondents are directed to dispose of the same within 8 weeks of receipt by issuing a speaking and reasoned order in accordance with extant rules and in accordance with law.

With the above direction the OA is disposed of at the admission stage with no order as to costs.

**(B.V.SUDHAKAR)**  
**ADMINISTRATIVE MEMBER**      **(ASHISH KALIA)**  
**JUDICIAL MEMBER**

/evr/