

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH
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**Original Application No. 332/00039/2020
This the 28th day of February, 2020**

Hon'ble Ms. Jasmine Ahmed, Member - J

Smt. Vinodani Baranwal aged about 66 years w/o Late Shri Pratap Chandra Baranwal, R/o H. No. 65 Civil Lines Agha Colony behind Vivekanand School Sitapur, District - Sitapur.

..... Applicant

By Advocate: Sri J.P. Mishra

VERSUS

1. Union of India, through Secretary, Department of Posts, Ministry of Communication, Dak Bhawan, New Delhi.
2. Post Master General Bareilly Region, Bareilly Uttar Pradesh.
3. Account Officer (Pension) O/o General Manager Finance Postal Account Office Aliganj, Lucknow. U.P.
4. Superintendent of Post Offices Kheri Division, Kheri, U.P.
5. Avneesh Kumari wife of late Pratap Chandra Baranwal Moh. Bahadur Nagar, Lakhimpur Kheri.

..... Respondents

By Advocate: Sri R.B Verma

O R D E R (ORAL)

It is the contention of the Learned Counsel for the Applicant that the husband of the applicant was died on 04.07.2019 but till date no pension or retiral benefits have been released to her. In this regard, she gave representation dated 29.07.2019 to which the respondents have passed an order dated 05.12.2019 stating therein as under:

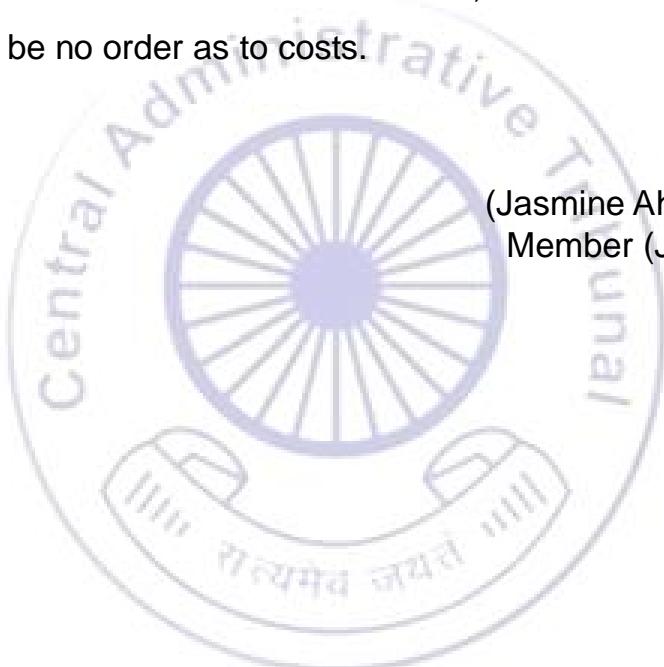
“With reference to your referred letter, it is informed that family pension in r/o LKO(P)32167 may not be issued because according to form “3” submitted by the official he has no family.”

2. Counsel for the applicant states that the applicant is legally wedded wife and she is entitled to get family pension and other retiral benefits to which the counsel for the respondents states that the deceased employee has never mentioned her name in form-3 mentioning that he

is having family/wife. Respondents' counsel also states that respondent No. 5 is also claiming as wife of the deceased employee. Hence, in a disputable situation the respondents are not in a position to release family pension or the retiral benefits to the applicant herein.

3. Learned counsel for the applicant states that he will try to get succession certificate from the proper forum. Accordingly, the applicant is directed to get succession certificate from the proper forum and submit before the respondents in regard to her claim and if the applicant becomes able to produce the relevant document (succession certificate) in her favour, the respondents shall consider her case as per rules.
4. With the above observation and direction, the O.A stands disposed of. There shall be no order as to costs.

RK



(Jasmine Ahmed)
Member (J)