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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application 193 of 1993

DATED THE 13th SEPTEMBER, 1994

HON. MR. JUSTICE B.C. SAKSENA, VICE CHAIRMAN
HON. MR. K. MUTHUKUMAR, MEMBER (A)

Smt. Kusum Lata aged about 43 years
widow of late Shri R.C. Tiwari, r/o
9, Police Chowki, Premnagar, Jhansi

.....APPLICANT

BY SHRI R.K. NIGAM ADVOCATE

Vs.

1. Union of India through General Manager,
Central Railway, Bombay V.T
2. Divisional Railway Manager, Central Railway
Jhansi
3. Divisional Accounts Officer(I) Central
Railway, Jhansi

..... RESPONDENTS

ORDER (ORAL)

JUSTICE B.C. SAKSENA, V.C.

We have heard the learned counsel for the applicant. The applicant's husband is alleged to have met with an accident and he died. The applicant, the widow through this O.A seeks quashing of the order dated 15.12.92 (Annexure A-1). By this order it has been indicated that a letter dated 14.12.92 sent by the applicant claiming compensation under Workmen's Compensation Act was considered during the pension adalat and the Divisional Accounts officer, Central Railway Jhansi has held that the matter does not come within the purview of the Workmen's Compensation Act and therefore, no compensation would be payable to the applicant. We find that Under section 20 of the Workmen's Compensation Act the Commissioner Workmen's Compensation is the Competent

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Authority to deal with a claim made under the Workmen's Compensation Act. Since a Forum is prescribed under the relevant statute and the applicant has not exhausted the said remedy we are not inclined to entertain this O.A. The O.A. is accordingly dismissed on merit, at admission stage.


MEMBER(A)


VICE CHAIRMAN

Dated: 13.9.1994

Uv/