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THE CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH ALLAHABAD

Original Application No. 1513 of 1993

Smt Kamla Devi and another Applicant

Vs.

Union of India and others Respondents

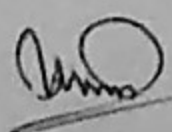
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HON'BLE MR MAHARAJDIN ,MEMBER(J)
HON'BLE MR S.DAS GUPTA ,MEMBER(A)

(By Hon'ble Mr Maharajdin, Member-J)

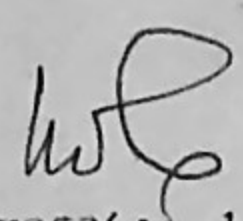
The applicant is the daughter of deceased employee Satya Narain, who was posted as Gardener under the I.O.W., Northern Railway, Juhi, Kanpur station. The applicant claiming herself to be the sole legal heir of the deceased employee moved application before the Civil Judge, Kanpur for issue of Succession Certificate (Annexure-I). The Succession Certificate was issued in her favour by which it was declared that she was entitled to receive all the assets of the deceased employee. The applicant after having obtained the Succession Certificate moved before the respondents for payment of dues. The respondents have ~~claimed~~ ^{paid} Rs.9,000/- as the amount of Provident Fund, Rs.4,000/- as gratuity, Rs.858/- as wages.

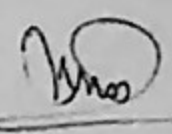
The applicant in this application has claimed Rs.15,000/- as the amount of Group Insurance Scheme, Rs.8,938/- as the amount of E.L. wages and Rs.408/- as the difference of Provident Fund. Applicant after having received the amount of Provident Fund and D.C.R.G. , did not approach the respondents for payment



of the amount of Group Insurance Scheme and E.L. wages etc and straightway approached to this Tribunal by way of present application.

Having considered these facts and circumstances of the case we are of the opinion that the applicant should have first approached the respondents making prayer for payment of the dues and if it is refused, then on the basis of said cause of action she could have approached this Tribunal. We, however, dispose of the application at admission stage with the observations that the applicant shall approach the respondents through representation which the respondents should decide within a period of three months from the date of receipt of said representation.


MEMBER(A)


MEMBER(J)

Dated: Allahabad, December 07, 1993.

(VKS PS)
