

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

O.A.No. 441/2002

Allahabad this the 22nd day of May, 2002

Hon'ble Mrs. Meera Chhibber, J.M.

Sukhdevi W/o Churaman,
R/o Mohalla - Bansi Nagla,
Subash Nagar, Bareli.

..... Applicant

(By Advocate: Sri. Atul Kumar)

Versus

1. Union of India, through its
General Manager, NER
Gorakhpur.

2. Divisional Railway Manager
NER, Izzat Nagar, Bareli.

3. Enquiry Inspector
North East Railway,
Izzat Nagar, Bareli.

4. Belawati (Ex-wife of late
Shri Om Prakash), Peon,
E.S.M. Office, Izzat Nagar
Railway Station, Bareli.

..... Respondents

(By Advocate: Sri. K.P. Singh)

O R D E R (Oral)

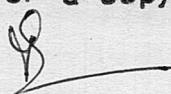
Hon'ble Mrs. Meera Chhibber, J.M.

Heard Sri Atul Kumar, counsel for the applicant and
Sri K.P. Singh, counsel for the respondents.

2. The grievance of the applicant in this case is that
she along with the younger son are the only legal heirs of
Late Shri Om Prakash who was working as Gangman at the
respondents and had died in harness on 9.3.91. The applicant
has stated that the wife of Late Omprakash had already taken



a divorce from her husband and the applicant had already submitted a succession certificate also to the respondents to release all the amount which became due after the death of her son but inspite of that ~~nothing~~ ^{she} ~~she~~ ^{has} ~~been~~ paid any amount on account of death of Late Sri Om Prakash nor she was considered for the compassionate appointment. On the contrary the respondents have given compassionate appointment to the divorced widow of Late Shri Om Prakash. The applicant states that she is not in a position to survive as Late Shri Om Prakash was looking after her and they have other source of income and even though the respondents have asked them to submit the relevant documents in the office via their letter dated 23.6.2001 (page 24 of the OA) which has already been submitted by them but no final decision has been taken by the respondents. The applicant's counsel drawn my attention to page 16 of the OA, whereby the respondents have themselves admitted that applicant is entitled to some part of the payment on account of the death of Late Sri Om Prakash. Now that the applicant has also given the succession certificate, I see no reason ^{why} ~~the~~ ^{my} matter should be delayed any longer since the applicant is a widow who states that she has no other source of income and is living in a very difficult situation, I think the ends of justice would be ^{met} if this OA is disposed of at the admission stage ^{itself} by giving direction to the respondents to take a final decision on the basis of succession certificate furnished by the applicant within a period of two months from the date of receipt of a copy of this order and make the



payment to the applicant immediately thereafter by passing a detailed speaking order giving the break up of the amount so being given to the applicant. The applicant shall have liberty to challenge the order passed by the respondents if she is still aggrieved by this.

3. With the above direction, the OA is finally disposed of. No order as to costs.


Member (J)

vtc.