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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION NO.883 OF 2006

ALLAHABAD THIS THE 13TH DAY OF OCTOBER, 2008

HON'BLE MR. JUSTICE A. K. YOG, MEMBER-J

1. Smt. Vimla Devi, Wife of Sri Ramesh Chandra, Resident of quarter No.941-4, Road No.4, Railway Colony, Ratlen, (Madhya Pradesh).
2. Smt. Manorma Devi Wife of Sri Washudev, Resident of house no.6-D/832, Sikandra, Nodla Colony, Agra.

..... Applicants

By Advocate : Sri A. S. Diwakar

Versus

1. Union of India through General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Allahabad.

..... Respondents

By Advocate : Shri Ravi Ranjan

O R D E R

1. Heard Shri A. S. Diwakar learned counsel for the applicant. Shri Ravi Ranjan learned counsel for the respondents.
2. At the outset, the learned counsel for the applicant informs that he is not pressing his claim of compassionate appointment.
3. It may be noted that the applicants are three married daughters of Late Kalyan Singh who was an employee of the Respondent Railways. For no fault of

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the widow, family pension was not paid to her. Total amount of 'Family Pension' due to her, if paid in time, would be Rs.1,35,412.

4. Learned counsel for the applicant confines claim in the OA with regard to 'family pension' only wife of the deceased employee was entitled to receive before she died. Since the widow died, the two applicants, (married daughters of the deceased employee) in their capacity as legal representatives of the deceased wife of the employee in question, are claiming aforesaid amount of Rs.1,35,412/-. Learned counsel for the Respondents admit that family pension amount has not been paid.

3. Learned counsel for the respondents refers to the impugned order to show that the respondent authorities required the applicants to obtain a succession certificate from competent authority in order to facilitate payment of arrears of family pension to them. Learned counsel for the applicant further submitted that a succession certificate was obtained after the death of the father of the applicant in order to receive arrears of post retrial benefits; hence the direction to obtain succession certificate again is not justified.

4. Argument of the learned counsel, is not sound. Succession certificate sought earlier for obtaining post retrial benefits (which were payable to the

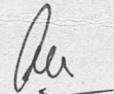


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father of the applicant) cannot be said to be good to claim arrears of family pension which was payable to the mother of the applicant (being wife of deceased employee). It is an entirely different amount-claimed in different capacity. The respondents have committed no illegality in requiring the applicants to obtain requisite succession certificate for receiving and sharing arrears of family pension, (in question).

4. OA has no merit. It is accordingly dismissed.

No Costs.



(A. K. YOG)
Member-J

/ns/