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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

O.A. No. 221 of 1986
T.A. No.

DATE OF DECISION 21.10.'86

JAMBAI HAJAJI Petitioner

DR. B. PRASAD Advocate for the Petitioner(s)

Versus

UNION OF INDIA & ORS. Respondent

SHRI K. K. SHAH Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. P. H. TRIVEDI ... Vice Chairman

The Hon'ble Mr. P. M. JOSHI ... Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal.

O.A. No. 221/86

Per: Hon'ble Shri P. H. Trivedi, Vice Chairman

JUDGMENT

In this case, the petitioner is a widow of a Mate under Permanent Way Inspector at Surendra-nagar, who expired on 20.1.'72. At the instance of his superior the deceased is stated to have put some thumb impression on a paper which was not read over to him. The applicant, who has to take the responsibility for maintenance of her four children is nearly destitute. The applicant's son's wife also has died. The applicant, therefore, has prayed that the credit balance in the applicant's husband's Provident Fund account should be paid to her and that some employment should be given to her son.

We notice that the applicant has filed an order of the railway authorities dated 13.3.'82, directing the cashier to pay the net amount of Rs. 4,571/-, being the credit balance in the account of the Provident Fund of the applicant's late husband. The applicant should establish her claim in the matter of succession of her late husband's estate, after fulfilling the necessary formalities and on this being done, the respondent should make payment of the credit balance to her. The legal aid committee of Gujarat could perhaps assist the applicant in this regard. So far as the offering of an employment to her son is concerned, we are sure that the railway authorities already have a policy in this regard, and if it is found that the applicant has a claim to her son's

employment, we have no doubt that the railway authorities will pay due heed to it. This is also a matter in which the legal aid committee could be of help. But it would not be possible for Tribunal to give any direction in such a matter as the applicant has not substantiated her claim with basis of any instructions, rules, or policy supporting her request as a matter of claim. With these observations we partly allow the application. No order as to costs.

P. H. Trivedi
(P. H. TRIVEDI)
Vice Chairman

P. M. Joshi
(P. M. JOSHI)
Judicial Member