

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
8.	30.8.96	<p>Heard Shri P.C. Acharya, learned Counsel for the Applicant, and Shri P.N. Mohapatra, learned Additional Standing Counsel (Central) for the Respondents and Shri R. Behera, learned Counsel for the Respondents No. 5, Joe kha Khatun wife of late Usman Ali Khan. The applicant in this petition challenges the order of Respondent No. 3 Telecom District Engineer, Dhenkanal dated 24.9.1994 letter No. Q-179 (Part-B) / 12. In this letter, the telecom District Engineer informed the applicant that she is not eligible to get any family pension as she is not nominated as a Member of the Family by late Usman Ali Khan. By Annexure-4 it is stated that the family pension case of late Usman Ali Khan has been settled in favour of Joe kha Khatun wife of the deceased on the strength of succession certificate issued by the Civil Judge, Senior Division, Kendrapara. D.C.R.G. Has also been settled according to the above certificate. On the basis of the nomination of the applicant under Rule 53 of CCS Pension Rules, Respondent No. 5 received the pension and other retirement benefits. That is further confirmed by a succession certificate. The applicant claims to be the second wife</p>	<p>Order No. 1 dt. 3.4.95 Note to all Prop'ts may be sent Thru Regd/Ad Recd.</p> <p>4/4/95</p> <p>Notice issued. ADS not returned. counter not filed for orders</p> <p>Registar 24.4.95 Order dt. 22.5.96</p> <p>For admission 3 hearing pl. Adj to 29.5.96.</p> <p>My 28/5/96 Bench Counter has been filed, For Admissn and hearing</p> <p>Adj 15/7/96 Bench Or no. 4 may be used for admision &amp; Hearing</p> <p>Adj to 7.8.96. 1 6.8.96 Bench</p>

Serial No. of Order	Date of Order	Order with Signature	Office note as to action (if any) taken on order
		<p>of the deceased. The applicant should move the court of competent jurisdiction to settle her rights, <del>if she</del> disputes the Succession Certificate granted to Respondent No.5. This Court has no jurisdiction to adjudicate on this point. This is settled by the Hon'ble Supreme Court <del>in the case of</del></p> <p>In this view of the matter, learned Counsel for the applicant Shri P.C. Acharya has agreed to withdraw this petition with liberty to the petitioner to move this Court, if and when a cause of action arises on a favourable decision in her favour from a Court of competent jurisdiction. Permission is granted for withdrawal. O.A. is disposed of.</p> <p><i>Member (Admn.)</i></p>	<p>Adj to 88-896 for Hearing and Reheat</p> <p><i>13/9/96</i></p> <p>I thought the order has been pronounced on 30.8.96 but the file came to me today. Please inform for your kind information.</p> <p><i>Adj 13/9/96</i></p> <p>S.O. (8)</p> <p>Order no. 8, Dt. 30.8.96</p> <p>A copy of Order may be given to both the counsels</p> <p><i>13/9/96</i></p> <p><i>Member</i></p> <p><i>Copy Received P.C. (8) 13.09.96</i></p> <p><i>Adv. 17.9.96.</i></p> <p>RECEIVED COPY S. C. P. C. Acharya (Adv.) D 17.9.96 R. K. Barak A/c</p>