

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 224 of 2004

Thursday, this the 25th day of March, 2004

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P. DAS, ADMINISTRATIVE MEMBER

1. C.P. Ambika,
W/o late M.S. Vijayan,
Melethu House, Chottanikkara PO,
Ernakulam District.
2. V. Vineetha,
D/o late M.S. Vijayan,
Melethu House, Chottanikkara PO,
Ernakulam District.
3. V. Veena,
D/o late M.S. Vijayan,
Melethu House, Chottanikkara PO,
Ernakulam District.
4. M. Sivaraman Nair,
Father of late M.S. Vijayan,
Melethu House, Chottanikkara PO,
Ernakulam District.Applicants

[By Advocate Mr. M.P. Varkey]

Versus

1. Union of India, represented by the Chairman, Railway Board and Ex Officio Principal Secretary to the Government of India, Ministry of Railways, Rail Bhavan, New Delhi.
2. The Chief Personnel Officer, Southern Railway, Chennai - 600 003
3. The Senior Divisional Personnel Officer, Southern Railway, Trivandrum - 695 014Respondents

[By Advocate Mr. Sunil Jose, ACGSC]

The application having been heard on 25-3-2004, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

Applicants are the wife, children and father of late M.S.Vijayan, Ex-Traffic Porter, who died in an accident on 1-8-1997. A total amount of Rs.1,78,490/- was paid as compensation under the Workmen's Compensation Act. On the

basis of Government of India, Ministry of Railways' order dated 9-2-2000 (Annexure A1), the 1st applicant was called upon by Annexure A2 letter dated 7-3-2002 to prefer a claim. The 1st applicant did prefer the claim on 2-4-2002 (Annexure A3). The grievance of the applicants is that although the claim has been submitted as directed by the administration, the matter has not been finalized as yet. Therefore, the applicants have jointly filed this application for a direction to the respondents to settle the claim under Annexure A3 within a time frame.

2. When the application came up for hearing, Shri Sunil Jose, ACGSC took notice on behalf of the respondents.

3. We wonder whether it would have been necessary at all for the dependents to prefer any claim in the format as the accidental death as also the amount of compensation paid under the Workmen's Compensation Act would be within the knowledge of the authorities concerned and they can even before if at all a claim being preferred settle the matter in accordance with law. However, the counsel agree that the matter can be disposed of directing the 1st respondent to settle the claim made in Annexure A3 within a very short time.

4. In the light of what is stated above, the Original Application is disposed of directing the 1st respondent to settle the claim under Annexure A3 as early as possible, at any rate not later than six weeks from the date of receipt of a copy of this order. No order as to costs.

Thursday, this the 25th day of March, 2004

12-1. 2A

H. P. DAS
ADMINISTRATIVE MEMBER

A. V. HARIDASAN
VICE CHAIRMAN

Ak.