

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

OA NO. 307 OF 2012

Tuesday, this the 7th day of October, 2014

CORAM:

HON'BLE MR. U.SARATHCHANDRAN, JUDICIAL MEMBER

Shobanakumari
Cheralath Pattaruvalappil House
Edapal PO
Malappuram District ... **Applicant**

(By Advocate Ms.Vandhana P & Muhammed Shafi)

versus

1. The Accounts Officer
Pay and Allowances
BSNL Electrical Division
Ernakulam, Kochi – 682 016
2. The Executive Engineer
BSNL Electrical Division
Ernakulam, Kochi – 682 016
3. The Chief General Manager, BSNL
Thiruvananthapuram – 695 033
4. Controller of Communication of Accounts Wings, BSNL
Trivandrum – 695 033
5. Karishma Gopi
Malikku House PO
Thalavodi, South Aleppey District – 688 011
6. Krishna Gopi
Malikku House PO
Thalavodi, South Aleppey District – 688 011... Respondents

(By Advocate Mr.Johnson Gomez (R1-3)
Advocate Mr.Sunil Jacob Jose, SCGSC (R-4)
Advocate R.S.Kalkura (R5-6))

The application having been heard on 07.10.2014, the Tribunal on the same day delivered the following:

ORDER

HON'BLE MR. U.SARATHCHANDRAN, JUDICIAL MEMBER

On the previous posting date, this Tribunal had directed the individual parties to arrive at a settlement in view of the civil nature of the dispute between the applicant and respondent No.5 & 6 which calls for intervention by a competent Civil Court. Parties were then advised to arrive at a settlement by mutual discussion in the presence of their lawyers. Accordingly, the applicant and Respondent Nos.5 & 6 arrived at a settlement which has been produced before this Tribunal by way of a memo. It reads as follows:-

"Settlement entered into between the applicants and additional respondents 5 & 6

Whereas the 6th respondent is the nominee for the purpose of receiving the DCRG, with respect to the deceased employee M.S.Gopi.

The parties here to have discussed the matter in dispute regarding the payment of the DCRG as directed by the Hon'ble Tribunal on this day and has arrived at the following settlement :

Terms of settlement :

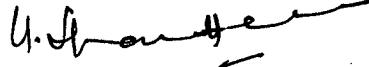
1. *The parties agreed that 1/4 of the amount payable as DCRG shall be paid to the applicant herein.*
2. *The additional 6th respondent shall receive the balance 3/4 amount of the DCRG from the official respondents and he shall pay the due share to the additional 5th respondent and also to the mother of the deceased employee, Shri M.S.Gopi."*
2. Learned counsel appearing for all parties submitted that during the settlement talks the only matter which cropped up for settlement was DCRG due to the deceased Shri M.S.Gopi.

3. Accordingly, it appears to this Tribunal that the OA can be disposed of with a direction to the official respondents 1 to 4 to disburse the DCRG amount in terms of the afore quoted settlement.

4. In the above circumstances, the official respondents are directed to consider payment of Family Pension to the applicant as per law.

5. Original Application is accordingly disposed of. No order as to costs.

Dated, the 7th October, 2014


U.SARATHCHANDRAN
JUDICIAL MEMBER

VS