

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

D.A. No. 375/97

Monday, this the 14th day of July, 1997.

CORAM:

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

T Lalithamma,
Ambalathara Veedu,
Maruthur,
Neyyattinkara.

- Applicant

By Advocate Mr P Ramakrishnan

Vs

1. Union of India represented by
the General Manager,
Southern Railway,
Madras.
2. The Chief Personnel Officer,
Southern Railway,
Head Quarters,
Madras.
3. The Workshop Personnel Officer,
General Workshop,
Southern Railway Golden Rock,
Thiruchirappalli.
4. Sarada,
O/o Madhava Menon,
Somasadanam, Pathiripala,
Nagareepura.P.O.
Via Mannur, Ottappalam. - Respondents

By Advocate Mr KV Sachidanandan (For R.1 to 3)

The application having been heard on 14.7.97 the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR AV HARIDASAN, VICE CHAIRMAN

Notice has not been served on the 4th respondent. The
applicant has not taken steps to have the notice to be served

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on the 4th respondent. However, when the matter came up today, we notice that the issue involved in this case is the disputed status of the applicant vis-à-vis the 4th respondent. According to applicant, she is the widow being legally wedded to AN Soman. The 4th respondent has been granted the pensionary benefits by the Railways finding that the 4th respondent is a widow of Soman on the basis of the materials placed before them. Therefore, the real issue involved in this case is whether the applicant is the widow of Soman having been legally wedded to him or whether the 4th respondent is the Widow. This status is a matter that will have to be determined by a Civil Court and this Tribunal has no jurisdiction to go into that question. Noting this aspect of the case, learned counsel for the applicant seeks permission to withdraw this application with liberty to move afresh after having the applicant's status declared by a Civil Court. Granting such liberty, the application is dismissed as withdrawn. No costs.

Dated, the 14th July, 1997.


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


AV HARIDASAN
VICE CHAIRMAN

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