

Central Administrative Tribunal Lucknow Bench Lucknow.

O.A. No. 31/2008

This, the 11th day of April, 2008.

Hon'ble Shri M. Kanthaiah, Member (J)

Smt. Guddi Devi @ Nirmal aged about 40 years, wife of late Om Prakash resident of Nirmal Sadan, Bana Mampur, Chhoti Baza, Post Buxi Ka Talab, Lucknow.

Applicants

By Advocate: Sri Suresh Sharma

Versus

1. Union of India through the Ministry of Agriculture, Secretary, Govt. of India, New Delhi.
2. Director General, Agriculture Indian Industries Sugarcane Research, Krishi Bhawan, New Delhi.
3. Director, Indian Sugarcane Research Institute, U.P. Raibareli Road, Lucknow.
4. Assistant Finance and Accounts Officer, Indian Institute of Sugarcane Research, Lucknow


Respondents.

By Advocate: By Sri K.K. Shukla for Dr. Neelam Shukla

ORDER (ORAL)

By Hon'ble Shri M. Kanthaiah, Member (J)

1. Heard both sides.
2. The applicant has filed Original Application to issue direction to the respondents for releasing the terminal benefits of her deceased husband, who died on 31.1.2006, leaving the petitioner, daughter namely Pummy, sons Ravi Kumar, Rakesh Kumar and Rahul Kumar. Thereafter, she has also made representation to the respondent authorities covered under Annexure A-3 dated 14.2.2006, Annexure A-4 dated 10.4.2006 and Annexure -6 dated 2.4.2007 for releasing the terminal benefits of her deceased husband but the respondent authorities have not passed any orders and as such she has filed the present O.A.
3. The respondents counsel submits that he has filed preliminary objection against the maintainability of the O.A. because the applicant is claiming multiple relief in respect of compassionate appointment and in



respect of terminal benefits through this Original Application. But on perusal of the O.A., it is found that applicant has filed this O.A. only claiming relief in respect of terminal benefits of her deceased husband and not in respect of compassionate appointment. So, there is no justification in raising the objection by the respondents against the maintainability of the O.A.

4. When the representations of the applicant covered under Annexure A-3 dated 14.2.2006, Annexure A-4 dated 10.4.2006 and Annexure -6 dated 2.4.2007 for releasing the terminal benefits of her deceased husband are pending with the respondents, so at this stage, it is not fair on the part of the Tribunal to give any direction to the respondents to allow her claim.

5. In view of the above circumstances, for the fair and just disposal of the proceedings, O.A. is disposed of with direction to the respondents to dispose of the pending representations of the applicants covered under Annexure A-3 dated 14.2.2006, Annexure A-4 dated 10.4.2006 and Annexure -6 dated 2.4.2007 and also by treating this application as Supplementary representation of the applicant for considering her claim for release of the terminal benefits of her deceased husband with a reasoned order as per rules within a period of three months from the date of receipt of copy of this order. Applicant is also directed to supply copies of the Annexures covered under Annexure A-3 dated 14.2.2006, Annexure A-4 dated 10.4.2006 and Annexure -6 dated 2.4.2007 and also copy of this petition to the respondents along with the copy of this judgment. No cost.

HLS/-


(M. Kanthaiah)
Member (J)

11-04-2008