

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH: :MUMBAI

ORIGINAL APPLICATION NO. 746 OF 2000<sup>99</sup>

MONDAY, THE 26TH DAY OF FEBRUARY, 2001

SHRI JUSTICE ASHOK AGARWAL.  
SMT. SHANTA SHASTRY.

... CHAIRMAN  
... MEMBER (A)

Smt. Shakuntala Vasasnt Chaudhari,  
Widow of late Vasant  
Shripat Chaudhari,  
Ex-P/Man, S.S. Kurla,  
Residing at Katal,  
Post: Ninje,  
Taluk:Kalyan,  
Dist: Thane.

... Applicant

By Advocate Shri S.V. Marne

Vs.

1. Union of India, through  
The General Manager,  
Central Railway,  
Headquarters office,  
Mumbai CST,  
Mumbai-400 001.
2. The Divisional Railway Managber,  
Mumbai Division,  
Central Railwlay,  
Mumbai CST,  
Mumbai-400 001.
3. The Asst. Operating Manager,  
Office of the DRM,  
Mumbai Division,  
Mumbai CST,  
Mumbai-400 001.


... Respondents

By Advocate Shri G.C. Dawan

O R D E R


Shri Justice Ashok Agarwal.

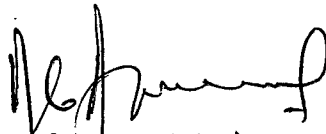
... Chairman

 In this instant OA the applicant is one  
Shakuntala Vasant Choudhary. She has styled herself as a widow  
of late Vasanth Shripat Choudhary. By this OA she claims the  
retiral and pensionary benefits of her late husband Vasanth  
Shripat Choudhary.

2. The respondents had initially conceded that the applicant is the widow of late Vasanth Shripat Choudhary. On a perusal of their record, the respondents have now come up with a case that the applicant is not the widow of their employee Vasanth Shripat Choudhary. They have now disputed the assertion of the applicant that she is ~~not~~ the widow of late employee of the respondents.

3. In view of the aforesaid disputed question of fact, which will not be possible to be resolved in this Tribunal, the present OA is disposed of granting liberty to the applicant to approach the Civil Court for establishing her claim that she is the widow of the late Vasanth Shripat Choudhary, who was the employee of the respondents. On her getting a suitable declaration from the civil court she may approach the respondents for the reliefs claimed in the present OA. In view of the disposal of the OA, M.Ps 524/2000 and 1041/2000 are also disposed of with no orders as to cost.

  
(SHANTA SHASTRY)  
MEMBER (A)

  
(ASHOK AGARWAL)  
CHAIRMAN