

BEFORE THE CENTRAL ADMINISTRATIVE  
TRIBUNAL, BANGALORE BENCH  
BANGALORE

DATED THIS THE 20TH NOVEMBER 1986

Present : Hon'ble Justice K.S.Puttaswamy, .. Vice-Chairman  
Hon'ble Shri P.Srinivasan .. Member

Transferred Application  
No.1248/86.

N. Sreenivasan  
Aged about 45 years  
S/o A.T. Nithyanandam  
No. 13/7, Ramakrishnappa Road,  
Cox-Town,  
BANGALORE - 560 005. .... Applicant  
(Shri. S. Mahadevan, Advocate for Applicant )

Vs.

The General Manager,  
Bangalore Telephones  
Chamber of Commerce Building  
Kempagowda Road,  
BANGALORE. .... Respondent  
(Shri.M.S.Padmarajaiah, Advocate)

The application has come up for hearing before  
Court today. The Vice-Chairman made the following :

O R D E R

In this transferred application received from  
the High Court of Karnataka under Section 29 of the  
Administrative Tribunals Act of 1985, the applicant  
has sought for a direction to the respondent to pay  
him a sum of Rs.20,000-00 and other amounts said to be  
due to him under the Central Government Employees  
Group Insurance Scheme, 1980.

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2. The applicant is the husband of one Smt. Pushpa who was employed as an office assistant in the office of the Assistant Engineer (North) Bangalore Telephones, Ulsoor Exchange, Bangalore. While in service she died on 26-1-1982.

3. When Pushpa was in service she was a member of the Scheme which inter-alia provides for nominations by members. The applicant claims that <sup>as</sup> his wife Pushpa had nominated him to receive the amounts due under the Scheme as her nominee, he was entitled for payment of the amounts due under that scheme.

4. In resisting this application, the respondent has asserted that Smt. Pushpa had not nominated the applicant to receive the amounts under scheme and that the mother of the deceased had also staked her claim for payment of the amounts due under the scheme.

5. We had heard this case on 14-11-1986 and posted the same to-day for further hearing. At the further hearing of this case, the applicant Sri.N.Srinivasan is present. We have heard him and also Sri.N.Basavaraj, learned Additional Central Government Standing Counsel appearing for the respondent.

6. Sri. Basavaraj has produced the records which show that Smt. Pushpa had not nominated the applicant or any other person as her nominee under Scheme which came into force from 1-1-1982. When the deceased had not nominated the applicant as her nominee the question of the respondent making payment of the amounts to him

short  
does not arise. On this ground the claim of the  
applicant cannot be accepted by us.

7. We have earlier noticed that the mother of the  
deceased had also laid her claim for payment of the  
amounts due under the scheme. When that is so, this  
Tribunal or the respondent cannot adjudicate the rival  
claims. The rival claims have necessarily to be  
examined and decided by a competent Court only and  
not by us.

8. In the result, we dismiss this application. But,  
this should not be understood as this Tribunal deciding  
the merits of the claim which has necessarily to be  
examined and decided by the appropriate forum only. No  
costs.

*Ms. J. M. A. M.*  
VICE CHAIRMAN 20/11/86

*P. S.*  
MEMBER(A) 20/11/86