

## IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

## NEW BOMBAY BENCH

~~QxAXxNex~~ Stamp 27/91  
~~TXAXxNex~~ (OA 70/91)

198

DATE OF DECISION 15.2.91

Nandkumar Baburao Surve & Ors. PetitionerMr. S.P.Saxena,

Advocate for the Petitioner(s)

Versus

Union of India & Ors.

Respondent

Mr. R.K.Shetty

Advocate for the Respondent(s)

## CORAM

The Hon'ble Mr. P.S.Chaudhuri, Member (A)

The Hon'ble Mr. T.C.Reddy, Member (J)

1. Whether Reporters of local papers may be allowed to see the Judgement ? Yes
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

*P.S.Chaudhuri*  
 ( P.S.Chaudhuri )  
 Member (A)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW BOMBAY BENCH, NEW BOMBAY

\* \* \* \* \*

(3)

Stamp Application No. 27/91 (OA 70/91)

Nandkumar Baburao Surve  
and 3 others.

... Applicants

V/s

1. Union of India through  
The Secretary, Ministry of  
Defence, New Delhi.
2. The Scientific Advisor,  
Ministry of Defence,  
New Delhi.
3. The Director,  
Research & Development Engrs.,  
Pune 411 015.
4. Sow. Krishnabai (alias Malanbai),  
Qr.No.24/317, R&D Engrs. Colony,  
Dighie, Pune 411 025.
5. Dashrath Baburao Kamble,  
Qr.No.24/317, R&D Colony,  
Pune 411 015.

CORAM: Hon'ble Member (A), Shri P.S.Chaudhuri  
Hon'ble Member (J), Shri T.C.Reddy.

Appearances:

Mr. S.P.Saxena, Advocate,  
for the applicant and Mr.  
R.K.Shetty, Advocate, for  
the respondents.

Oral Judgement:

Dated : 15.2.1991

(Per. P.S.Chaudhuri, Member (A))

This application under Section 19 of the  
Administrative Tribunals Act, 1985 was filed on 17.1.91.  
The applicants seek the relief that they are entitled to  
the G.P.Fund and other retirement benefits of the Late  
Baburao Vithal Surve who was employed as Driver in the  
office of the third respondent and who died on 27.7.89  
while in service.

2. We have heard Mr. S.P.Saxena, learned counsel  
for the applicant and Mr. R.K.Shetty, learned counsel  
for the respondents 1 to 3. The point at issue in this

Cont'd. . . 2/-

(a)

case is the resolution of the dispute between rival claimants for the payments due to Late Baburao Vithal Surve and arising consequent on his death which have since been paid to the fourth respondent. This is not a service matter and <sup>so</sup> the dispute does not come within the jurisdiction of this Tribunal.

3. In this view of the matter we are of the opinion that the application deserves to be dismissed in limine.

4. We accordingly reject the application summarily under Section 19(3) of the Administrative Tribunals Act, 1985. There will be no order as to costs.

T. C. Reddy  
( T.C. Reddy )  
Member (J)

P. S. Chaudhuri  
( P.S. Chaudhuri )  
Member (A)

15/2/91  
\*  
order/Judgement despatched  
to Applicant/Respondent(s)  
on 22.8.91

22/8