

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A. NO: 618/92 199
T.A. NO: ---

DATE OF DECISION 28-8-1992

1. G.P. Mordekar

2. Mrs. Vidya Jayant Herwadkar Petitioner

Mr. S. P. Saxena

Advocate for the Petitioners

Versus

Union of India and Ors.

Respondent

Mr. Ranganathan for Mr. Deodhar

Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. Justice S.K.Dhaon, Vice-Chairman

The Hon'ble Mr. M.Y.Priolkar, Member(A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
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 ?

NO

mbm* MD

S.K.DHAON
(S.K.DHAON)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.618/92

1. G.P. Mordekar
2. Mrs. Vidya Jayant Herwadkar,
55/27, Lunkad Villa,
Chiplunkar Road,
Bhandwana,
Poona - 411 004. .. Applicants

-versus-

1. Union of India
through
The Secretary,
Ministry of Commerce,
Government of India,
New Delhi - 110 011.
2. The Joint Chief Controller,
of Imports and Exports,
New C.G.O. Building,
South East Wing,
New Marine Lines,
Churchgate,
Bombay - 400 020.
3. The Accounts Officer,
The Regional Pay and
Accounts Officer,
Bombay - 400 020.
4. Shri B.P. Talgeri,
C/o. B-S.K. Gosavi,
"Aditya"
Behind Gawali Bungalow,
Sub-Station Road Camp,
Malegaon - 423 105. .. Respondents

Coram: Hon'ble Shri Justice S.K.Dhaon,
Vice-Chairman.

Hon'ble Shri M.Y. Priolkar,
Member (A)

Appearances:

1. Mr. S.P. Saxena
Advocate for the
Applicant.
2. Mr. Ranganathan
for Mr. Deodhar
Advocate for the
Respondents.

ORAL JUDGMENT: Date: 28-8-1992
(Per S.K.Dhaon, Vice-Chairman)

One (Mrs.) Anuradha B. Telgiri
retired as Ex-Controller of Imports and

Exports, Bombay. Immediately after retirement she died. Admittedly she was entitled to receive certain benefits on retirement. She had executed a Will on 15th December, 1987. Mr. G. P. Mordekar the applicant No. 1 had been made one of the Executors of the Will by Smt. Telgiri. It is alleged that the applicant No. 2, Mrs. Vidya Jayant Harwadkar is the sole beneficiary under the Will. The applicants No. 1 and 2 obtained a Probate from the Civil Court, Senior Division, Pune on 17th March, 1989. They forwarded the certified copy of the Probate to the Civil Court, granting them Probate, to respondent No. 2 along with an application praying that the entire amount which was legally admissible to Smt. Telgiri may be paid to them. No action having been taken, the applicant approached this Tribunal by means of this present O.A.

2. It is stated on behalf of the respondents that the respondents have no intention of withholding the dues of (Mrs.) Anuradha B. Telgiri. In fact, the matter is being processed. Learned counsel assured that the necessary payments shall be made to the applicants within a period of four weeks from the date of receipt of a certified copy of this order by respondent No. 2. The respondents shall examine the case of the applicants in the light of the order of the Civil Court granting Probate and, if they are satisfied, the applicants are entitled to receive payment, which were due to (Mrs.) Anuradha B. Telgiri. They shall make the payment within the time specified above.

3. The applicants have also prayed that this Tribunal should direct the respondents to pay them interest from the date of receipt of the order of Civil Court granting Probate. We are not inclined to issue any such direction ✓ at this stage. However, it will be open for the respondents to consider the claim of the applicant with regard to the interest, as well. ✓ With this direction, the application is disposed of finally. There will be no order as to costs.


(M.Y. PRIOLKAR)
Member(A)


(S.K. DHAON)
Vice-Chairman

MD