

(90)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

OA.962/94

dt. 19-7-96

Between

Chidapana Rajeswara

: Applicant

and

1. Divnl. Rly. Manager
SE Rly., Waltair
Dist. Visakhapatnam

2. Divnl. Personnel Officer
SE Rly. Waltair
Visakhapatnam

3. General Manager
SE Rly. Garden Reach
Calcutta 43

4. FA & CAO
SE Rly, Garden Reach
Calcutta 43

: Respondents

Counsel for the applicant

: B. Gajendra Reddy
Advocate

Counsel for the respondents

: V. Bhimanna
SC for Railways

CORAM

HON. MR. R. RANGARAJAN, MEMBER (ADMN.)

D

Judgement

Oral order (per Hon. Mr. R. Rangarajan, Member (Admn))

Heard Sri B. Gajendra Reddy for the applicant and Sri V. Bhimanna for the respondents.

2. This OA is filed praying for a direction to the respondents to pay her family pension and other terminal benefits due to her late husband Sri Ch. Mallesu, treating her as his sole legal heir.

3. The applicant submits that she is wife of Sri Mallesu, who joined service as Gangman in Railways on 28-1-1957 and died on 19-12-1979 when he was working as Gangmate. The respondents submitted that there was counter claim from another lady for getting family pension and terminal benefits ^{of} through late Mallesu. The applicant has not produced any succession certificate, but she asserts herself as legal heir of the deceased, whereas the other lady is stated to have produced the succession certificate.

4. In para 11 of the reply it is stated that the applicant herein has not filed the proper succession certificate revoking the succession certificate earlier issued to the rival claimant Smt. Ramabai. It is also stated that the retiral benefits have not been given to Smt. Ramabai. Under the circumstances there is no ^{necessary} ^{certain way} adjudication in this case. Hence it is necessary that the applicant should produce a proper succession certificate issued by competent ^{Court} ~~authority~~ revoking succession certificate issued in favour of Smt. Ramabai ~~though~~ ~~one such is issued to Ramabai and produce valid~~ ^{to} ^{Court} succession certificate issued by a competent ~~authority~~ to the Railway Department. If such a succession certificate is

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payment or
produced the family pension and other retiral benefits
should ~~despatched~~ *decides* by the competent authority in accordance
with rules *and law*.

5. The OA is disposed of as above. No costs.



(R. Rangarajan)
Member (Admn.)

Dated : July 19, 96
Dictated in Open Court

Prithvi 236.
Dy. Registrar (S)

contd... 4/-

sk

1/8/96

DA: 962/96

TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

DATED:

19/7/96

ORDER/JUDGEMENT

O.A. NO. / R.A. / C.P. NO.

in

O.A. NO.

962/96

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

~~DISPOSED OF WITH DIRECTIONS~~
DISMISSED

DISMISSED AS WITHDRAWN

~~ORDERED/REJECTED~~

~~NO ORDER AS TO COSTS.~~

YLKR

II COURT

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