

72 (84)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL HYDERABAD BENCH
AT HYDERABAD.

O.A.NO.628 of 1994.

Between

Dated: 8.11.1995.

G.Suryavathi

...

Applicant

And

Union of India Rep by:-

1. General Manager, S.E.Railway, Garden Reach, Calcutta.
2. Divisional Railway Manager, S.E.Railway, Visakhapatnam.

...

Respondents

Counsel for the Applicant : Sri. Y.Subrahmanyam

Counsel for the Respondents : Sri. C.V.Malla Reddy, SC for Railways.

CORAM:

Hon'ble Mr. A.B.Gerthi, Administrative Member

Contd.

O.A. 620/94.

Dt. of Decision : 06-11-95.

ORDER

¶ As per Hon'ble Shri A.B. Gerthi, Member (Admn.) ¶

The applicant is the widow of Late Sri G.Suryanarayana who died on 18-02-1993 while working as a Machinist Grade-II under the respondents. The prayer of the applicant is for a direction to the respondents to provide employment assistance to her adopted son, Shri G.Chiranjeevi on compassionate grounds.

2. The respondents refute the claim of the applicant on the ground that the adoption, if any, appeared to have taken place after the death of the employee. The respondents were satisfied with the deed of adoption as it was not registered and as it was only a ~~sworn~~ affidavit. In the counter affidavit also the respondents have taken the stand that Shri G.Chiranjeevi is not legally adopted son of late employee. It was further stated in the counter affidavit that the applicant received an amount of Rs. 72,985/- as pensionary benefits and that she is receiving a monthly pension of Rs. 705/-.

3. On the question whether adoption of Shri G.Chiranjeevi is valid or not, I have heard learned counsel for both the parties at considerable length. The relevant record from the department also has been called for and perused by me. I find that in one of the declarations made by the employee himself in 1983 for the purpose of obtaining pass and PTs, it was stated that he had an adopted son aged 18 years. Further, I find that after the death of the employee, independent enquiries were made from the co-workers and it was found that the employee left behind not only his widow but also a son name G.Chiranjeevi.

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Accordingly, the competent authority vide his order dated 14-09-93 sanctioned payment of D.C.R.G. to both the widow of the applicant and also to the son (Chiranjeevi) in equal shares.

5. The OA is ordered accordingly. No costs.

(A.B. Gorthy)
Member (Admn.)

Dated : The 8th Nov. 1995.
(Dictated in Open Court)

Deputy Registrar (Ju)

Copy to:-

Copy to:-

1. General Manager, S.E.Railway, Union of India, Garden Reach, Calcutta.
2. Divisional Railway Manager, S.E.Railway, Visakhapatnam.
3. One copy to Sri. Y.Subrahmanyam, advocate, H.No.45-58-7, Narasimhanagar, BPO Salagramapuram, Visakhapatnam.
4. One copy to Sri. C.V.Malla Reddy, SC for Rlys, CAT, Hyd.
5. One copy to Library, CAT, Hyd.
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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD.

HON'BLE MR. A.B. GORTHI, ADMINISTRATIVE MEMBER.

HON'BLE MR.

JUDICIAL MEMBER.

ORDER/JUDGEMENT:

DATED: 8.11.95 1995.

M.A./R.A./C.A.NO.

O.A.NO. 620/95

T.A.NO. (W.P.NO.)

ADMITTED AND INTERIM DIRECTIONS ISSUED.

ALLOWED.

DISPOSED OF WITH DIRECTIONS.

DISMISSED.

DISMISSED AS WITHDRAWN.

DISMISSED FOR DEFAULT.

ORDERED/REJECTED.

NO ORDER AS TO COSTS.

Rsm/-

No Spare Copy

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