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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

ORIGINAL APPLICATION NO.173 of 1997

DATE OF ORDER: 28th November, 1997

BETWEEN:

U.LALITHA

.. APPLICANT

AND

1. The General Manager,
Secunderabad,
2. The Divisional Manager, Hyderabad Divn,
S.C.Railway, Secunderabad,
3. The Sr.Divisional Personnel Officer,
Hyderabad Division, SC Railway,
Secunderabad,
4. Smt.Savithri,
H.NO.12-1-486, Lalapet,
Secunderabad.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr.V.VISHWANATHAM

COUNSEL FOR THE RESPONDENTS: Mr.D.F.PAUL, Adl.CGSC
Mr.P.V.Ravindra Kumar for R4

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

JUDGEMENT

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.Viswanatham, learned counsel for the applicant, Mr.D.F.Paul, learned standing counsel for the official respondents and Mr.Ravindra Kumar, learned counsel for R-4.


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2. The applicant submits that she is legally wedded wife of one Mr.U.Ramachander. Mr.Ramachander died on 26.6.95 while he was serving Railways. The applicant submits that she is eligible to get the final settlement dues of her late husband fully. It is further stated by the applicant that the final settlement dues of her late husband were erroneously paid to R-4.

3. This OA is filed praying for declaration that the action of R-1 to R-3 in not making payment of Family Pension, Provident Fund and DCRG and other legal dues consequent on the death of her husband is illegal, arbitrary and contrary to the circulars issued by the Railway Board and for consequential direction to R-1 to R-3 to pay the Family Pension, Provident Fund, Death-cum-Retirement Gratuity and all other dues to her.

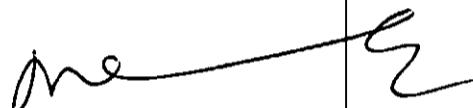
4. The learned standing counsel for the official respondents submits that in the record, R-4 is shown as legal heir for receiving the final settlement dues of late Mr.U.Ramachander and accordingly the dues have been disbursed to her. The learned standing counsel for the official respondents further submits that the same was informed to the applicant also.

5. The present case is a dispute in regard to the legal heir between the applicant and R-4 for receiving the final settlement dues of the late employee Mr.U.Ramachander. In such cases, it is for the parties to obtain a proper succession certificate from the competent

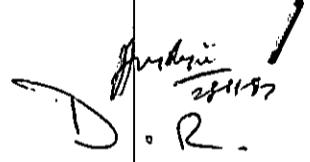


judicial forum and produce the same before the concerned authorities for granting the final settlement dues of late employee Mr.U.Ramachander. This Tribunal cannot decide the legal heir of late Mr.U.Ramachander for getting the benefit of final settlement dues of Mr.U.Ramachander. In view of the above, the applicant, if so advised, may approach a proper judicial forum for obtaining succession certificate after impleading proper parties in that case and produce the certificate to the Railway authorities for further action.

6. With the above direction, the OA is disposed of.
No order as to costs.


(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: 28th November, 1997
Dictated in the open court.


vsn

DA.173/97

Copy to:-

1. The General Manager, South Central Railway, Secunderabad.
2. The Divisional Manager, Hyderabad Division, South Central Railway, Secunderabad.
3. The Senior Divisional Personnel Officer, Hyderabad Division, South Central Railway, Secunderabad.
4. One copy to Mr. V. Vishwanatham, Advocate, CAT., Hyd.
5. One copy to Mr. D.F. Paul, Addl. CGSC., CAT., Hyd.
6. One copy to P.V. Ravinda Kumar for R-4, CAT., Hyd.
7. One copy to D.R.(A), CAT., Hyd.
8. One duplicated.

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TYPED BY
COMPARED BY

CHECKED BY
APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD

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

AND
THE HON'BLE SHRI B.S.JAI PARAMESHWAR :
M (J)

Dated: 28/11/97

ORDER/JUDGMENT

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

in

D.A.NO.

173/97

Admitted and Interim Directions
Issued.

Allowed

Disposed of with Directions

Dismissed

Dismissed as withdrawn

Dismissed for Default

Ordered/Rejected

No order as to costs.

YLR

II Court

