

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

OA No.355/98

Date of order: 02.11.1998

Hazari Lal S/o Shri Moti Lal aged about 65 years, resident of Gopi Nagar, Plot No.69, Station Road, Sanganer, his brother Shri Champalal was last employed on the post of Helper in Signal Department, Western Railway, Jaipur Division, Bandikui.

.. Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Jaipur Division, Jaipur.

.. Respondents

Mr. Shiv Kunmar, council for the applicant.

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CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

ORDER

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Hazari Lal, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, seeking a direction to the respondents to release an amount of Rs. 4907/- as provident fund, Rs. 10,000/- as Insurance and Rs. 16,500/- as Gratuity in his favour as he is the legal heir of Late Shri Champa Lal.

2. Heard the learned counsel for the applicant.
3. The applicant's case is that late Shri Champa Lal was

Champalal

employed on the post of Helper in the Western Railway, Jaipur Division, Bandikui. He died on 17.1.1989. The deceased Champa Lal was unmarried. His retiral benefits were withheld since there was a dispute regarding his legal heir. The applicant has obtained a succession certificate from the District Court in his favour. He has filed a notice under Section 80 CPC already given to the respondents regarding the present claim.

4. In the circumstances, this application is disposed of with a direction to respondent No.2 to treat the aforesaid notice at Ann.A2 as a representation and take a decision thereon on merits within a period of one month from the date of receipt of a copy of this order. Let a copy of this OA and Annexures thereto be sent to respondent No.2 alongwith a copy of this order.

Gopal Krishna
(GOPAL KRISHNA)

Vice Chairman