

**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR**  
**BENCH, JABALPUR**

**Original Application No. 653 of 2005**

**Jabalpur, this the 26<sup>th</sup> day of April, 2006**

**Hon'ble Dr. G.C. Srivastava, Vice Chairman**  
**Hon'ble Mrs. Meera Chhibber, Judicial Member**

Smt. Kamla Bai,  
W/o. Late Shri Lakhan Lal Gontiya,  
Aged about 25 years,  
R/o. Gram - Tilgawa,  
Tahasil & P.S. - Panagar,  
Distt. - Jabalpur (MP). ..... **Applicant**

(By Advocate - None)

**V e r s u s**

1. The Union of India,  
Through : The Secretary,  
Ministry of Defence,  
New Delhi.
2. The General Manager,  
Vehicle Factory, Jabalpur. .... **Respondents**

(By Advocate - Shri A.P. Khare)

**ORDER (Oral)**

**By Mrs. Meera Chhibber, Judicial Member -**

By this Original Application the applicant has sought direction to the respondents to release the retiral benefits of her husband and start the payment of family pension. She has also sought relief to direct the respondents to give her compassionate appointment as per her qualification.

2. The respondents have filed reply, wherein as per succession certificate dated 14.9.2004 granted by the District Court the terminal



benefits are required to be paid 1/4<sup>th</sup> each to the family members of the deceased employee i.e. children of first wife and as well as to second wife. The elements of family pension is required to be paid 50% to the elder son of the first wife and 50% to the second wife i.e. the applicant Smt. Kamla Bai. The matter was taken up with PCDA (P) Allahabad by the respondent No. 2 being the employer of the deceased employee. But the PCDA (P) has returned the papers for want of guardianship certificate in respect of Shri Gopal i.e. younger (minor) son of first wife. Thereafter, the matter was listed for hearing on 26th March, 2006, whereupon certain directions are given to the respondents. In compliance to the directives of this Tribunal, courier of respondent No. 2 was immediately deputed to PCDA (P), Allahabad on 22.3.2006 and the PPO was got released by hand on 23.3.2006. The terminal benefits have already been paid to the applicant on 8.11.2005, 6.1.2006, 16.1.2006 and 14.3.2006, copies are enclosed as Annexure R-2 to R-5. Since the payments have already been made timely, there is no question of paying any interest as requested by the applicant. The PPO dated 23.3.2006 for payment of DCRG and family pension as per succession certificate issued by the District Court has already been sent by speed post to the Bank and the applicant on 24.3.2006. Thus they have submitted that the directions given to them were complied with. In so far as the application for compassionate appointment is concerned, the same could not be considered earlier because the amount of termination benefit payable were under finalization and nomination etc. of the deceased employee was under judicial scrutiny. The matter of compassionate appointment will be taken up in due course under the extant of Government instructions on the subject.

3. Since the respondents have already stated that they have already given all the payments due to the applicant on 24.3.2006, the applicant was permitted to verify from the Bank whether the said amount has been



