

CEMTRAL ADMINISTRATIVE TRIBUNAL

JABALPUR BENCH, JABALPUR

O.A. No.1105 of 2004

Date of order : 6th May, 2005

C O R A M

Hon'ble Mr. M.P.Singh, Vice- Chairman
Hon'ble Ms. Sadhna Srivastava, Member(J)

Smt. Kesri Mehta @ Shakuntala Mehta, aged 75 years, W/o late Shri Keemat Rai
Mehta, R/O LIG 58, Govind Bhawan colony, South Civil Lines, Jabalpur.

Applicant's

(By Advocate-None)

vs.

1. Union of India, through Secretary, Ministry of Accounts and Pension, Allahabad.
2. Controller of Defence, Accounts and Pension, Allahabad.
3. Chief Engineer (Pension GP), Central Command, Lucknow- 226 002.
4. Garrison Engineer (East), Jabalpur.

Respondents.

Counsel for the respondents : Shri S.P.Singh.

O R D E R

By Sadhna Srivastava, Member(J) :-

The subject matter of this application is payment of retiral benefits. The mother of the deceased, namely, V.K.Mehta, a defence employee under Garrison Engineer, Jabalpur is the applicant. Late V.K.Mehta had initially nominated his mother i.e. the applicant. Soon after he was married, the nomination was changed in favour of his wife Rashmi Mehta. There was some confusion with the office and, therefore, the matter was referred to the Chief Engineer, Central Command, Lucknow. The advise received from the Head

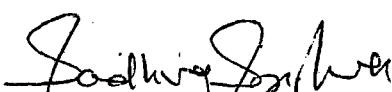
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2. O.A. No.1105/2004

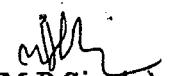
Quarter was that the latest nomination will prevail. Accordingly, letter dated 24.11.2004 as contained in Annexure-1 was issued to the applicant i.e. Smt. Kesari Mehta (Applicant). Thereupon Kesari Mehta, mother of the deceased has filed this O.A. for quashing the order dated 24/11/2004.

2. On the date of hearing, the applicant or her counsel did not appear. Therefore, invoking the provision of Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987, we perused the pleadings and heard the counsel for the respondents.

3. It need not detain us to hold that the latest nomination of V.K.Mehta (deceased) will prevail. This is an established rule. Since the latest nomination is in favour of his wife Rashmi Mehta, the mother of the deceased can not be permitted to lay any claim for retiral benefits. We have perused the latest nomination available on record. The wife of the deceased being the nominee is entitled thereto. Consequently, the O.A. is dismissed without any order as to cost.



(Sadhna Srivastava)
Member(Judicial)


(M.P. Singh)
Vice-Chairman

mps

प्राप्तिकर्ता सं. ओ/व्हा..... जयलपुर, दि.....
प्रतिलिपि दाता जिला -
(1) सचिव, उच्च व्यवस्थापन दाता विभाग, जयलपुर
(2) अपेक्षा विभाग की, जयलपुर
(3) फसल की/प्रतिलिपि दो काउन्सल के प्रतिलिपि
(4) विधायक, जयलपुर, जयलपुर जिला
राजनीति विभाग काउन्सल
राजनीति विभाग काउन्सल
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राजनीति विभाग काउन्सल

१८ अप्रैल २००५

१८ अप्रैल २००५

Re) next, 18/04/05
J.P. Singh, M.P. Singh
18/04/05

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