

CENTRAL ADMINISTRATIVE TRIBUNAL

JABALPUR BENCH, JABALPUR

O.A. No.1105 of 2004

Date of order : 6<sup>th</sup> 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.

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

..... Respondents.

O R D E R

By Sadhna Srivastava, Member(J) :-

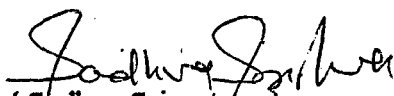
The subject matter of this application is payment of retiral benefits. The mother of the deceased, namely, V.K.Mehta, a defence employee under Garrison Engineer, Jabalpur is the applicant. Late V.K.Mehta had initially nominated his mother i.e. the applicant. Soon after he was married, the nomination 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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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) wil 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)

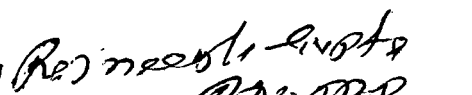
  
( M.P.Singh )  
Vice-Chairman

mps

पुस्तक सं ओ/न्या.....जयपुर, दि.....  
पतिलिपि अन्तर्गत -

- (1) सचिव, उच्च न्यायालय राजस्थान, जयपुर
  - (2) आदेशों की प्रतिलिपि, उच्च न्यायालय, जयपुर
  - (3) प्रत्यक्षीय प्रतिलिपि, उच्च न्यायालय, जयपुर
  - (4) कोषाध्यक्ष, उच्च न्यायालय, जयपुर
- सूचना एवं आवश्यक कार्यवाही हेतु

(1) उप निदेश

  
S.P. Singh  
JBS

used  
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