

CENTRAL ADMINISTRATIVE TRIBUNAL  
JABALPUR BENCH

OA No.40/04

Jabalpur this the 23rd day of August, 2004.

CORAM: Hon'ble Mr. Madan Mohan, Judicial Member

Smt. Kiran Yadav  
W/o Late Yogendra Yadav  
R/o Village Tikaria  
Tahsil Niwas  
District Mandla (MP)

Applicant.

(By advocate Shri Alok Tapikar on behalf  
of Shri Manish Datt)

Versus

1. The Union of India through  
the Secretary, Ministry of  
Finance, New Delhi.
2. Principal Chief Controller of Accounts  
Central Board of Direct Taxes  
9th Floor, Lok Nayak Bhawan, Khan Market  
New Delhi.
3. Accounts Officer, Office of the  
Principal Chief Controller of  
Accounts, Central Board of Direct  
Taxes, 9th Floor, Lok Nayak Bhawan,  
Khan Market, New Delhi.
4. Commissioner of Income Tax  
Jabalpur.
5. Assistant Controller of Accounts  
2 AO Bhopal.

Respondents.

(By advocate Shri S. Akhtar on behalf of Shri  
B. Dasilva)

O R D E R (oral)

By Madan Mohan, Judicial Member

By filing this OA, the applicant has claimed the following  
main reliefs:

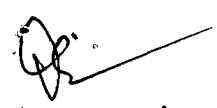
- (i) Direct the respondents to arrange payment of  
GPF, insurance and family pension to the  
applicant at the earliest.
2. The brief facts of the case are that the applicant  
was married with Yogendra Yadav according to Hindu rites  
and traditions on 24th June, 1994. Shri Yogendra Yadav was  
working on the ~~post~~ of peon in the Department of Income Tax  
in the office of the Commissioner, Income Tax, Russel  
Crossing, Jabalpur. The first wife of Yogendra Yadav,  
namely Kiran Yadav died on 20th October, 1993. The applicant  
is the only legally wedded wife of Yogendra Yadav. The

applicant claimed the benefits which included the GPF, Insurance and Family Pension to which she was entitled. The late husband of the applicant named the applicant as a nominee. Other family members of the late husband of the applicant, which include his brother, had raised an objection regarding payment of GPF, Insurance and family pension etc.

3. Heard the learned counsel for both parties. The learned counsel of the applicant argued that the first wife of Yogendra died on 20th October, 1993 and subsequently the applicant married Yogendra Yadav according to the Hindu rites and traditions on 24th June 1994. She is the only legally wedded wife of the deceased Yogendra Yadav and she was also nominated by Yogendra Yadav, in the relevant documents <sup>of this service</sup> ~~and papers~~. But the family members of the deceased Yogendra Yadav had raised objections and the applicant is running to the Department for getting her legal claim settled, but she has not been paid so far. The learned counsel for the applicant has stated that the applicant would be satisfied if the respondents are directed to consider her case for retiral dues of her late husband within a stipulated time. The learned counsel for the respondents has no objection in doing so.

4. Therefore, the applicant is directed to submit a fresh representation in detail to the respondents within 15 days from today and if she complies with this, then the respondents are directed to consider the representation of the applicant within a period of two months by passing a detailed, reasoned and speaking order.

5. The OA is disposed of as above.

  
(Madan Mohan)  
Judicial Member