

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 487 of 2003

Jabalpur, this the 28th day of November, 2003.

Hon'ble Mr. G. Shanthappa, Judicial Member

Miss Sudha Kol
(By caste Kol)

D/o. Late Jamuna Prasad,
R/o Pipariya Isai Mohalla
Khamriya Jabalpur.

APPLICANT

(By Advocate - None)

VERSUS

1. Union of India
Through Secretary,
Ministry of Defence,
New Delhi.

2. The General Manager,
Gun Carriage Factory,
Jabalpur

RESPONDENTS

(By Advocate - Shri S.P. Singh)

ORDER (ORAL)

The above application filed by the applicant for a direction to the respondents to immediately settle the terminal benefits and family pension ~~xxxxx~~ of late Jamuna Prasad to the applicant.

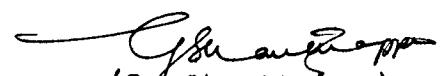
2. The case of the applicant is that the respondents have not settled terminal benefits and family pension. Father of applicant Jamuna Prasad died on 14.9.2002 leaving behind the applicant, his 3 daughters and a son. They have approached to the respondents for family pension. Admittedly Miss Seema, Miss Lalita and Master Shubham are minor. Since the respondents did not consider the request of family pension, therefore, they have approached the Tribunal.

3. Per contra the respondents have filed their reply stating that since children of the deceased are minor. The benefits are not granted for want of production of guardianship certificate to claim the terminal benefits. The respondents have submitted a list of calculation i.e. Terminal benefits as per Para 5 of the reply.

4. Only dispute in this case, if the applicants produced the guardianship certificate, the respondents are ready to pay the amount to the minor.

5. After hearing the respondents and perusal of the records it is necessary to direct the applicant to produce the guardianship certificate of the minor's children of the deceased who are to be claimed for terminal benefits. Hence, the applicant is directed to produce the guardian certificate, to the respondents to claim the terminal benefits and family pension of the deceased late Jamuna Prasad.

6. After production of the guardianship certificate, the respondents are directed to release the amount which is to be payable to the minor's children of late Jamuna Prasad. The time is granted to pay the said amount within a period of 15 days from the date of production of the guardianship certificate. Accordingly the OA is disposed of. No costs.


(G. Shanthappa)
Judicial Member

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Shri Vinod Ahlawat Adv. J.B.P.
Shri S.P. Singh Adv. J.B.P.


16/12/03


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