

**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH  
CHANDIGARH**

**O.A. No.060/00423/2014**

**Decided on: 16.05.2014**

**Coram: Hon'ble Mr. Sanjeev Kaushik, Member (J)  
Hon'ble Mr. Uday Kumar Varma, Member (A)**

Surinder Kaur w/o Late Sh. Jagir Singh r/o H. NO. 3204, Street No. 3,  
Mehna Mohalla, Court Road, Bathinda

.....**Applicant**

**Versus**

1. Union of India through the Secretary (Posts), Ministry of Communications and IT, Sanchar Bhavan, NO. 20, Ashoka Road, New Delhi.
2. The Department of Posts, through the Deputy Director General (Establishment), Dak Bhavan, Sansad Marg, New Delhi - 110116.
3. Head Post Office through its Post Master, Bathinda - 151001.

.....**Respondents**

Present: Mr. Pankaj Katia, counsel for the applicant

**Order (oral)**

**By Hon'ble Mr. Sanjeev Kaushik, Member(J)**

1. The present O.A. has been filed by the applicant for issuance of a direction to the respondents to release her retiral benefits on account of the services rendered by her deceased husband with the respondent Deptt.

2. In support of his claim, learned counsel for the applicant submits that the applicant is a second legally wedded wife of the deceased employee and a certificate to that effect has already been issued by the Competent Authority.

3. At the commencement of the hearing learned counsel states that the applicant has already served a legal notice dated 04.06.2013 (Annexure A-10) but the same has not been replied to till date. He makes a statement at the Bar that the applicant would be satisfied if a time-bound direction is issued to the authority competent amongst the respondents to take a view on the legal notice (Annexure A-10).

4. Since the applicant has simply asked for taking a view on the legal notice, there is no need to issue notice to the respondents and call for their reply as under Section 20 of the Administrative Tribunals Act, it is mandatory for the respondents to take a view on the pending representation which they have not done till date. We make it clear here that no purpose would be served if we issue notice to the respondents as the available remedy envisaged under Section 20 of the Administrative Tribunals Act, 1985 has yet not been complied with and sufficient time has passed. Therefore, no prejudice would be caused to the respondents by non-issuance of notice to them but it will help in

getting the decision- process expedited and the applicant will have the order with reasons.

5. Accordingly, the O.A. is disposed of, without going into the merits of the case, with a direction to the respondents to consider and take a view on legal notice (Annexure A-10) within a period of two months from the date of receipt of a copy of this order.

6. No costs.

*Uday Kumar Varma*  
(UDAY KUMAR VARMA)  
MEMBER (A)

*Sanjeev Kaushik*  
(SANJEEV KAUSHIK)  
MEMBER (J)

PLACE: Chandigarh  
Dated: 16.05.2014

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