

**Central Administrative Tribunal
Principal Bench**

OA-957/2018

New Delhi, this the 28th day of February, 2018

Hon'ble Mr. Uday Kumar Varma, Member (A)

Smt. Chander Wati Devi,
(Mother of deceased SH. Hemant Kumar),
w/o Sh. Tika Ram,
R/o House No. A-210, Bharat Vihar,
Rajapuri, Uttam Nagar,
New Delhi-110059. ... Applicant

(through Sh. Shiv)

Versus

1. Union of India,
Through its Secretary,
Ministry of Urban Development,
Nirman Bhawan, New Delhi.
2. Dte. General of Security,
Aviation Research Centre,
Block-V(East) R.K. Puram,
New Delhi-110066. ... Respondents

(through Sh. R.K. Jain)

ORDER (ORAL)

Heard.

2. The issue for consideration before me is whether an amount of Rs. 4,72,392/-, which has been sanctioned by the respondents, Aviation Research Centre as Balance of Death Relief, expenditure incurred for transportation of deceased body, embalming of body,

making of coffin and Refund of Subscription to the bereaved family of Sh. Hemant Kumar, should be released to his mother or to his wife. The applicant, who is mother of the deceased Sh. Hemant Kumar submits that the respondents had initially issued a letter dated 16.08.2017 releasing this amount to her. However, on 04.10.2017 they revised this order in favour of wife of late Sh. Hemant Kumar.

3. There is no dispute that this money has to be given to the person who legally succeeds the deceased employee. It is further informed in the court by the counsel for the respondents that matter is sub-judice before the Additional Civil Judge on the issue of succession and notices have also been issued.

4. The fact of the matter is that the issue is essentially that of succession. As the Tribunal has no jurisdiction to decide the issue of succession, OA is, thus dismissed. The applicant shall, however, be at liberty to approach the rightful legal forum for redressal of her grievances.

(Uday Kumar Varma)
Member (A)

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