

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

O.A. No. 1060/2013

New Delhi, this the 16th day of August, 2016

HON'BLE MR. P.K. BASU, MEMBER (A)

Anil Tingga,
S/o Shri Shri Budhiman Oraon,
H.No. A-73, Gali No.2,
Pocket-V, Near Water Tank,
Sonia Vihar, Delhi-110 094. .. Applicant

(By Advocate : Shri N.A. Sebastian)

Versus

1. Commissioner of Police,
Delhi Police,
Delhi Police Head Quarters,
New Delhi-110 002.
2. Smt. Jatri Devi,
W/o Late Shri Budhiman Oraon,
R/o Village Hirhi Togritoli,
PS and District Lohardaga,
Jharkhand. .. Respondents

(By Advocate : Shri N.K. Singh for Mrs. Avnish Ahlawat)

ORDER (ORAL)

Heard the learned counsel for both sides.

2. The learned counsel for the applicant states that the deceased employee, viz. Shri Budhiman Oraon, had two wives and the first wife, Smt. Jatri Devi, having two children. Smt. Jatri Devi has approached the Department for pensionary benefits. She has not applied for compassionate appointment either for herself or for her children. The second wife, namely Smt. Ajitha, has applied for

compassionate appointment for her son, Shri Anil Tigga, as well as pensionary benefits.

3. The impugned order dated 06.02.2013 passed by the respondents states that both parties had been asked to submit the Succession Certificate from the competent court as per Govt. of India decision under Rule 53 of CCS (Pension) Rules, 1972 for finalisation of pensionary benefits and also that decision for appointment of compassionate ground will be taken up after receiving Succession Certificate.

4. Therefore, this matter cannot proceed unless both the parties submit the Succession Certificate. Only thereafter, can the respondents decide who is the legal successor and who will be beneficiary for pensionary benefits as well as compassionate appointment.

5. The O.A. is, therefore, disposed of with a direction to the applicant to comply with the information sought vide order dated 06.02.2013 and the respondents shall take a decision after both the parties submit the Succession Certificate, in accordance with rules. No order as to costs.

(P.K. Basu)
Member(A)

/Jyoti/