

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

OA No. 470/2017

New Delhi this the 25th day of September, 2018

Hon'ble Ms. Nita Chowdhury, Member (A)

Smt. Radha Devi (Aged about 50 years)
 W/o late Sh. Balawant Singh,
 R/o: C/o Dhirender Kumar & Sh. Veer Singh,
 H.No.501, First Pusta,
 Kathewara, New Usmanpur,
 Delhi-110053

- Applicant

(By Advocate: Shri A.K. Bhakt)

VERSUS

Union of India & others, through

1. General Manager,
 North Central Railway,
 Allahabad, UP
2. General Manager,
 Northern Railway,
 Headquarters, Baroda House,
 New Delhi
3. Divisional Railway Manager,
 North Central Railway,
 Allahabad, UP

- Respondents

(By Advocate: Mr. A.K. Shrivastava)

O R D E R (Oral)

The applicant has filed this Original Application (OA),
 seeking the following reliefs:-

“(1) To direct the respondents to release death cum
 retiral benefits and family pension with reasonable
 interest i.e. @18% per annum to the applicant due to
 delay payment of her legitimate claim.

- (II) To allow O.A. with cost for causing undue harassment.
- (III) To pass any other order or orders which this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

2. When the matter is taken up for hearing, counsel for the applicant states that he is representing the second wife of the deceased employee of the respondents, late Balawant Singh. It is his case that after the death of first wife of the deceased, late Balwant Singh, the applicant was married to him. Accordingly, he requests that the applicant be given family pension and other retiral benefits.

3. In their counter reply, the respondents have stated that as per their service record, the applicant of this OA does not find mention as a member of the family of the deceased employee in any declarations such as complimentary pass and PTO, Medical Card, PF, nomination form etc. They have further contended that they will have no objection to consider the claim of the applicant once she is able to obtain the succession certificate from the Civil Court.

4. Both the parties were heard. Counsel for the applicant verbally stated that the applicant be permitted to obtain succession certificate in her favour from the Civil Court and thereafter present her claim for payment of

family pension and other benefits which she has claimed in this OA.

5. In view of the above, nothing remains in this OA and the same is hereby disposed off as dismissed with the following directions.

6. It is made clear that in case the applicant is able to obtain a succession certificate from the relevant judicial forum, she may present the same to the respondents, if so advised. Thereafter the respondents shall consider her request for family pension and other retiral benefits within 90 days from the date of submission of such claim along with all requisite legal documents, in accordance with law.

No costs.

**(Nita Chowdhury)
Member (A)**

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