

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT SITTING : BILASPUR

Original Application No.203/00249/2017

Bilaspur, this Tuesday, the 25th day of September, 2018

**HON'BLE MR. NAVIN TANDON, ADMINISTRATIVE MEMBER
HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER**

Smt. Bibiyana Mahant @ Bibiyana Kujur Wd/o Late Shri Dhir Das Mahant, aged about 47 years, R/o Turkumuda, Sahdevpali, Tahsil & District – Raigarh (C.G.) 496001 **-Applicant**

(By Advocate – Shri Ajeet Kumar Yadav)

V e r s u s

1. Union of India through the Secretary, Department of Posts, Ministry, Shram Shakti Bhawan, Rafi Marg, New Delhi 110001.
2. The Deputy Director (Post), Chhattisgarh Circle, Raipur (C.G.) 492001.
3. The Chief Postmaster General Chhattisgarh Circle, Raipur (C.G.) 492001.
4. The Superintendent of Post Offices Raigarh, Distt. – Raigarh (C.G.) 496001

(By Advocate – Shri Vivek Verma)

ORDER (REASONED)

By Ramesh Singh Thakur, JM.

The applicant has filed this Original Application seeking grant of family pension to her.

2. The applicant claims to be second wife of deceased employee Late Shri Dhir Das Mahant, who retired from service

on 31.07.2001. It has been submitted that after the death of first wife on 30.03.2011, the deceased performed second marriage with the applicant on 02.02.2012. The deceased submitted an application on 10.02.2012 (Annexure A-1) for recording the name of the applicant for the purposes of family pension.

3. The applicant submits that after the death of deceased, she submitted an application dated 16.09.2014 (Annexure A-6) for grant of family pension to her. However, instead of sanctioning family pension to her, she was asked to submit marriage certificate issued by competent authority by informing that Sarpanch is not a competent authority to issue marriage certificate submitted by the deceased.

4. In their reply, the respondents have submitted that the applicant presented himself as second wife of deceased and claimed all the pensionary benefit. The deceased during his lifetime submitted marriage certificate issued by Sarpanch Gram Panchayat Sahdevpali in plain paper. He was advised to submit a valid marriage certificate issued by the competent authority, as the Sarpanch is not competent to issue marriage certificate. Subsequently, after the death of deceased, claim of the applicant for grant of family pension could not be processed,

as despite repeated reminder, she failed to produce the marriage certificate issued by the competent authority.

5. We have heard the learned counsel for the parties and gone through the pleadings and the documents available on record.

6. From the pleadings itself, it is clear that the applicant has been asked for furnishing the marriage certificate issued by the competent authority, which she has not submitted yet. Therefore, without there being any further adjudication in the matter, we dispose of this Original Application at this stage granting liberty to the applicant to produce a valid marriage certificate issued by the competent authority. On receipt of such certificate, the respondents are directed to process her claim for grant of family pension, within a period of 60 days from the date of receipt of marriage certificate. Needless to say that we have not expressed any opinion on the merits of the case. No costs.

(Ramesh Singh Thakur)
Judicial Member

am/-

(Navin Tandon)
Administrative Member