

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00854/2014

Dated Thursday the 19th day of July Two Thousand Eighteen

PRESENT

**HON'BLE SMT. B. BHAMATHI, Member (A)
&
HON'BLE SHRI. P. MADHAVAN, Member (J)**

1.R.Meena,
W/o late D. Madhavan,
2.Siva Yogesh,
S/o late D. Madhavan,
3.Pradeep,
S/o late D. Madhavan Applicants

By Advocate M/s. Kavitha Deenadayalan

Vs

1.Union of India,
rep by its Secretary,
Ministry of Defence,
New Delhi 110001.

2.The Chief of Army Staff,
Army Head Quarters,
DHQ Post Office,
New Delhi 110001.

3.The Commandant,
Officer Training Academy,
St. Thomas Mount,
Chennai 600016. Respondents

By Advocate Mr. M. Kishore Kumar

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- "a. Quash the order dated 09.06.2014 having ref no. Letter no. 4663/prom/Est(Rect) issued by the 3rd respondent whereby the applicant's deceased Husband/father was demoted to the post of Junior Gestetner Operator post from the post of Senior Gestetner Operator Post and the direction to recover the pay and allowance that the applicant's deceased husband/father earned in the promotional post of Senior Gestetner.
- b. Direct the respondents to retain the applicant in the post of Senior Gestetner Operator with all consequential benefits.
- c. Any other order or relief or direction this Hon'ble Court may deem fit and proper be also passed in favour of the applicant's deceased husband/father."

2. When the matter is taken up for hearing, there is no representation for the applicant. Learned counsel for the respondents submits that all amounts due to the applicant has already been paid to the wife of the deceased employee pursuant to the order of this Tribunal dt. 08.09.2017 by which it was clarified that pendency of this case was no bar on respondents to settle the retirement benefits on the basis of whatever was the applicant's undisputed entitlement according to them on a provisional basis. In the event of the applicant being successful, remaining amounts could be worked out and settled, based

on the final order of this Tribunal. He produces a copy of the communication dt. 16.05.2018 enclosing therewith a copy of the pension payment order dt. 28.03.2018 and the same is taken on record.

3. In view of the above, OA is dismissed as infructuous.

(P. Madhavan)
Member(J)

19.07.2018

(B.Bhamathi)
Member(A)

SKSI