



CENTRAL ADMINISTRATIVE TRIBUNAL
KOLKATA BENCH

O.A 350/1068/2016

Date of Order: 19.06.2018

Coram: Hon'ble Ms. Bidisha Banerjee, Judicial Member

Iti Mondal, wife of Late Ramprasad Mandal, Ex-Cabinman, Malda, North-east Frontier Railway, residing at Railway Barrack Colony, Quarter No. 305/A, P.O Jhaljhalia, P.S English Bazar, Dist. Malda, Pin no.: 732102.

---Applicant

Versus

1. Union of India, through the General Manager, Northeast Frontier Railway, Maligaon, Guahati, Assam, Pin No. 782050.
2. The Divisional Railway, Manager, North-east Frontier Railway, Katihar Division, Katihar, Bihar, Pin no. 800701.
3. The Senior D.P.O North-east Frontier Railway, Katihar Division,
4. Smt. Kausalya Devi, Ajay Kumar and Anil Kumar, residing at P.O Bailgarh, P.S Gangwara, Dist. Sitamarchi, Bihar.

---Respondents

For the Applicant(s): Mr. N. Roy, Counsel

For the Respondent(s): Mr. B. P Manna, Counsel

ORDER (ORAL)

Per: Ms. Bidisha Banerjee, Judicial Member:

Heard ld. counsel for both sides.

2. It appears from records that the employee, Late Ram Prasad Mondal, had nominated his second wife Smt. Iti Mondal to receive Provident Fund amount in full and in case of her death to his two sons and daughter. The sons Anil Kumar and Ajay Kumar are the sons from the first wife Smt. Kausalya Devi, while Rani Kumari is the daughter from the second wife Smt. Iti Mondal.

3. The respondents have released the entire family pension in favour of the first wife Smt. Kausalya Devi ignoring the claim of the second wife and her minor daughter Rani Kumari.

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4. The respondents in their reply have stated that both Smt. Kausalya Devi and Smt. Iti Mondal were asked to obtain succession certificate from competent court of law, while Smt. Kausalya Devi furnished the same, Smt. Iti Mondal could not, therefore, her dues could not be paid to her.

5. Under such circumstances, the O.A is disposed of with a direction upon the present applicant to furnish succession certificate obtained from a competent court of law in regard to her prayers, before the respondent authorities/competent respondent authority or to file a comprehensive representation before the competent authorities on behalf of her daughter Rani Kumari for her share of the death benefits of the employee. In ^{the event of} ~~case~~ the respondents receive either of the applications, they shall consider in accordance with law and pass appropriate orders within a period of 2 months from the date of receipt of a copy of this order.

6. The respondent authorities shall communicate their decision to the applicant forthwith.

7. With the above observations and directions, the O.A is disposed of. No costs.

(Bidisha Banerjee)
Member(J)