

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA

[Circuit Court at Ranchi]
O.A./051/00278/2018

Date of order : 06th August, 2018

C O R A M

Hon'ble K.N. Shrivastava, Member (Admn.)
Hon'ble Mr. Jayesh V. Bhairavia, Member [Judicial]

Dukhni Pradhan, aged about 47 years, wife of Raghunandan Pradhan, Resident of village – Sarjamuda, PO- Sarjamuda, PS- Parsudih (Town Jamshedpur), District – East Singhbhum (Jharkhand) Unmarried Daughters and sons are figured below and represented through their mother-Guardian who are unemployed unmarried and dependent upon their mother as under:

- i) Vjeta Kumari, aged about 17 years Unmarried Daughter of Raghunandan Pradhan, mother of Dukhni Pradhan.
- ii) Smita Kumari, aged about 15 years Unmarried Daughter of Raghunandan Pradhan, mother of Dukhni Pradhan.
- iii) Smirit Pradhan (Miner) aged about 13 years, son of Raghunandan Pradhan & mother of Dukhni Pradhan.

..... Applicant.

By Advocate : None.

Vrs.

1. Union of India through the G.M., South Eastern Railway, Garden Road, Kilkata, Railway Bhavan, New Delhi (India).
2. G.M., South Eastern Railway, Garden Road, PO-Garden Road, Kolkata, Railway Bhawan, Kolkata (West Bengal).
3. D.R.M., South Eastern Railway, Chakradharpur Station, PO-Chakradharpur, PS-Chakradharpur, District – West Singhbhum (Jharkhand).
4. Sr. D.P.O., South Eastern Railway, Chakradharpur Station, PO-Chakradharpur, PS-Chakradharpur, District – West Singhbhum (Jharkhand).
5. Raghunandan Pradhan, son of P. Kumar Pradhan, resident of Chota Aamda, PO Bara Aamda, PS Kharsawan, District – SeraikellaKharsawan (Jharkhand).

..... Respondents.

By Advocate : Shri P.D. Singh.

ORDER
[O R A L]

Per Mr. K.N.Shrivastava, Member (A):- Through the medium of this O.A., the applicant has prayed for the following relief:-

“The applicants pray for a direction to the Respondents concerned specially Respondent No.3 and 5 for payment of Retiral benefits and Family Pension with interest along with arrears from the date of the superannuation/retirement by the Respondent No.4. The applicants are residing are residing separately and they are legally entitled for the legal portion of the Respondent No.5 the husband of applicant no.1 who superannuated from the post of Head TTE at Chakradharpur West Singhbhum. The applicant no.1 is legally married wife of the Respondent No.4 and other are unmarried daughters & son of the respondent No.5 who are residing with their mother the applicant no.1 Dukhni Pradhan and in terms of letter no. SER.P-LKP/740/RTI/DPE/2015 dated 17.03.2015 as the applicant filed appeal.”

2. The factual matrix of the case, as noticed from the record in the matter, is that the applicant is wife of respondent No.5 who retired on 31.01.2015 from the post of TTE, Chakrdharpur. Respondent No.5 has been getting his regular pension. Apparently, the marital relation of the applicant with respondent No.5 has got strained and due to the marital discard, the applicant has filed this O.A. claiming a portion of the pension of respondent No.5 as family pension for herself. Obviously, such a dispute cannot be adjudicated by this Tribunal. The applicant has to approach a competent Court and only after obtaining a favourable decree from the Civil Court, she can make a claim for getting certain monetary benefits from her husband.

3. Today, there was none present for the applicant. This also

shows her seriousness in the matter.

4. In view of the aforementioned observations, This O.A. is dismissed in limine on the ground of jurisdiction. No costs.

[J.V. Bhairavia]
Member (J)

[K.N. Shrivastava]
Member (A)

sks/-