

**CENTRAL ADMINISTRATIVE TRIBUNAL,**  
**ERNAKULAM BENCH**

**Original Application No. 180/00389/2018**

**Wednesday, this the 23<sup>rd</sup> day of January, 2019**

**CORAM:**

**Hon'ble Mr. Ashish Kalia, Judicial Member**

1. Rijilanath A.P, D/o.Kunhan  
Kunnathpalam(H), Madakkimala P.O  
Wayanadu District -673 122
2. Rinilanath A.P,D/o.Kunhan  
Kunnathpalam (H), Madakkimala P.O  
Wayanadu District -673122 ..... **Applicant**

**(By Advocate : Mr.V.S.Salim)**

**V e r s u s**

1. Accounts Officer(Estt/CA)  
Office of the Principal General Manager Telecom  
BSNL,Kozhikode – 673001
2. Principal General Manager Telecom  
BSNL, Kozhikode -673001
3. Chief Accounts Officer  
BSNL,Kozhikode -673001
4. Sub Divisional Engineer  
BSNL Office Kunnamangalam  
Kozhikode -673 571
5. Union of India represented by  
the Secretary to Government of India  
Ministry of Telecommunication  
New Delhi – 110 001
6. Rosili Sali, W/o.Late Kunhan  
Ambrammel House  
Kundamangalam P.O  
Kozhikode -673 571

7. Chinnu Joli (Minor), aged 16 years  
 D/o.Late Kunhan, Ambrammel House  
 Kundamangalam P.O  
 Kozhikode – 673 571

8. Arunnath (Minor), aged 9 years  
 S/o.Late Kunhan,  
 do -do- do ..... **Respondents**

**(By Advocate : Mr.George Kuruvilla (R 1-4), Mr.Saju S.K (R 6-8) and Mr.S.Ramesh, ACGSC (R5))**

This application having been heard on 23.1.2019 the Tribunal on the same day delivered the following:

**O R D E R (ORAL)**

**Hon'ble Mr. Ashish Kalia, Judicial Member –**

Learned counsel for the applicants submitted that Annexure A-3 representation is still pending before the respondents. Learned counsel for the respondents has pointed out that this representation is not made to respondent no.9 who is the competent authority to decide the matter.

2. Brief facts of the case are that the applicants are claiming family pension being unmarried daughters of first wife. The second wife and her children are respondent nos.6 to 8 and they have no objection if a portion of the pension is handed over to the applicants herein.

3. Be that as it may, the applicants may make a detailed representation stating therein their grievances to respondent no.9 who may decide after

hearing applicants as well as respondent nos.6-8. This representation shall be made within two weeks and the department may take a decision within six weeks thereafter.

4. The Original Application is disposed of as above. No costs.

**(ASHISH KALIA)  
JUDICIAL MEMBER**

**Sv**

**List of Annexures**

Annexure A-1 - True copy of the death certificate dated 21.12.2016 issued by the Registrar of Births and Deaths, Kozhikode Corporation

Annexure A-2 - True copy of the communication dated 15.5.2017 from the 1<sup>st</sup> respondent

Annexure A-3 - True copy of the representation dated 6.10.2017 submitted before the 1<sup>st</sup> respondent, (with translation).

Annexure A-4 - True copy of the Legalheirship certificate dated 06.06.2017 issued by the Thahasildar Kozhikode, (with translation)

Annexure A-5 - True copy of the Agreement dated 26.12.2016 executed by the legal heirs, (with translation)

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