

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,**

**ALLAHABAD BENCH, ALLAHABAD**

Allahabad, this the 08<sup>th</sup> day of August, 2019

Present:

**Hon'ble Mr.Justice Bharat Bhushan, Member-J**

**Original Application No. 330/0825/2019**

(U/S 19, Administrative Tribunal Act, 1985)

Smt. Malti Devi wife of Late Ghanshyam Tiwari, R/o Ratanpur Ram Nagar, Kalesar, District-Chandauli.

.....Applicant.

By Advocate – Shri Rajneesh Kumar Srivastava.

**V E R S U S**

1. Union of India, through Secretary, Ministry of Railway at New Delhi.
2. Divisional Railway Manager (Personal), Lahartara, North Indian Railway at Varanasi.
3. Assistant Public Information Officer, Varanasi.

.....Respondents.

By Advocates : Shri Pramod Kumar Rai.

**O R D E R**

Shri Rajneesh Kumar Srivastava, Advocate for the applicant and Shri Dharmendra Tiwari proxy Advocate for Shri P.K. Rai, Advocate respondents are present.

2. On the last occasion i.e. 05.08.2019 the following order was passed, which is reproduced as below:-

***“The applicant, Smt. Malti Devi, has filed this Original Application (OA) for family pension on account of death of one Shri Shiv Nath Tiwari said to have been died on 09.10.2009.***

***Smt. Malti Devi is sister of late Shiv Nath Tiwari. The claim of the applicant is based on a registered deed said to have been executed on 04.08.1994.***

***The question is whether married sister can seek family pension?***

***Prima facie, it appears that claim of applicant is not legally maintainable***

***Counsel for both the parties wants to address this Tribunal on the point whether this OA is legally sustainable or not?.”***

3. Today, learned counsel for the applicant has conceded that the pension cannot be transferred on account of registered deed.
4. Learned counsel for the applicant wants to withdraw this original application.
5. Learned counsel for the respondents has no objection to the same.
6. In view of the prayer made by learned counsel for the applicant, the OA is dismissed as withdrawn.

**(Justice Bharat Bhushan)  
Member (J)**

**/SS/**