

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

Dated the Tuesday 04th day of September Two Thousand And Eighteen

PRESENT:
THE HON'BLE MR. R. RAMANUJAM, MEMBER (A)

O.A./310/1179/2018

Tmt. Fithiya Begum,
W/o. Thiru Nazeer Khan,
No.12/13, Pensioner Lane,
2nd Street, Old Washermenpet,
Chennai- 600 021.

.....Applicant

(By Advocate : M/s. A. Rajesh Kanna)

VS.

1. The Union of India Rep. by its
The Senior Divisional Personnel Officer,
Southern Railway,
Chennai Division,
Chennai- 600 003;
2. The Divisional Finance Manager,
Southern Railway,
Chennai Division,
Chennai- 600 003;
3. The Divisional Railway Manager,
Southern Railway,
Chennai Division,
Chennai-600 003;
4. The Assistant Divisional Mechanical Engineer,
Southern Railway,
Basin Bridge, Chennai- 600 003;
5. The Chief Office Superintendent,
Southern Railway,
C.D.O. Office, Basin Bridge,
Chennai- 600 003.

... ..Respondents

(By Advocate: None)

ORAL ORDER

(Pronounced by Hon'ble Mr. R. Ramanujam, Member (A))

Heard. The applicant has filed this OA seeking the following reliefs:-

"to call for the records relevant to the order in No. M/P.353/CC/OA 738/2018 dated 31.07.2018 passed by the 1st respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and thereby direct the respondent to disburse the retirement settlement amount and monthly pension of Thiru. Nazeer Khan (Emp. No. 15204086818) and (PPO No.20177060200100) to his family members i.e. namely wife by namely Fithiya Begum and his son and daughter."

2. Learned counsel for the applicant would submit that the applicant's request to the employer of her husband not to release terminal dues, pension etc on account of the dispute between herself and him had been rejected by the impugned order. Aggrieved by the order, the applicant has filed this OA. However, it appears that the dispute involved in this case was within the jurisdiction of the Civil Court and it would not be possible for the respondents to stop the payment of terminal dues to the applicant's husband in the absence of an order by such court. Accordingly, the applicant seeks to withdraw this OA with liberty to approach the competent Civil Court, it is submitted.

3. In view of the aforesaid submission, the OA is dismissed as withdrawn with liberty to approach the competent Civil Court for necessary relief, if so advised.