

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH: HYDERABAD**

**Original Application No.20/451/2019**

**Date of Order: 18.06.2019**

Between:

Nurukurthi @ Nelakurthi Ramanjamma  
W/o. late Ramakoti, Aged about 62 years,  
Occ: Housewife, R/o. Old Address Kullur Village,  
Bellamkonda Mandal, Now residing at Door No. 3-248,  
RR Centre, Rajupalyam,  
Rajupalyam Mandal, Guntur District.

... Applicant

And

1. Union of India, Rep. by its General Manager,  
South Central Railway, Rail Nilayam,  
Secunderabad.
2. The Divisional Railway Manager,  
South Central Railway, Vijayawada.
3. The Senior Divisional Personnel Officer,  
South Central Railway, Vijayawada.

... Respondents

Counsel for the Applicant      ...      Mr. J M Naidu

Counsel for the Respondents      ...      Mrs. A.P. Lakshmi, SC for Rlys

***CORAM:***

***Hon'ble Mr. B.V. Sudhakar, Member (Admn.)***

***ORAL ORDER***

***{As per Hon'ble Mr. B.V. Sudhakar, Member (Admn.) }***

2. The OA has been filed for not considering the request of the applicant for grant of family pension.

3. Brief facts of the case are that the husband of the applicant by name Sri N. Ramakoti, while working as Head Train Examiner in the respondents organization being addicted to bad vices, certain marital issues cropped up, compelling the applicant to file a case for maintenance vide MC No. 9/1987 on the file of Addl. Munsiff Magistrate, Sattenapalli, wherein it was decreed that the applicant is the legally wedded wife of Sri N. Ramakoti and she was granted maintenance vide order dt. 20.11.1989. The marital discord went to the extent of Mr. N. Ramakoti inviting Smt. Prabhavati to live with them. The applicant alleges that Smt. Prabhavati is a concubine of her husband. The applicant states that Sri N. Ramakoti has recorded the name of Smt. Prabhavati in the Railway records as well as in the pension papers as his wife. In view of the order of the competent court, Sri N. Ramakoti has been paying regular maintenance to her. Later, Smt. Prabhavati predeceased her husband on 12.11.2006 as per the death certificate dt. 15.11.2006. Her husband Sri N. Ramakoti also died on 21.05.2008 as evidenced by the death certificate dt. 09.06.2008. Consequent to the death of her husband, the applicant made an application for family pension on 23.06.2008. A counter claim was also made by Smt. N. Nagamani, who is the daughter of Smt. Prabhavati. The respondents have directed the applicant to obtain a succession certificate from the competent court to decide the issue. The applicant accordingly obtained succession certificate issued by the competent court in SOP No. 03/2011, dated 09.07.2014 and submitted the same to the respondents on 21.12.2018. Other records like family member certificate, application filled in for family pension, etc. have also been submitted to the

respondents. A representation was made once again on 04.01.2019. Till date, the respondents have not initiated any action. Hence, the OA.

4. The contentions of the applicant are that she is the legally wedded wife of the ex-employee Sri N. Ramakoti. Smt. Prabhavati, alleged to be the concubine of Sri N. Ramakoti, is no more. As directed by the respondents, succession certificate has been submitted. Therefore, there is no reason for not granting family pension.

5. Heard learned counsel for both sides and perused the material papers submitted.

6. The Additional Munsiff Magistrate, Sattenapalli has clearly stated in the judgment that the applicant is the legally wedded wife of the ex-employee and is entitled for maintenance vide order dated 20.11.1989 in MC No.9/87. Further, the applicant was also granted Succession Certificate vide SOP No. 03/2011 by the Principal Junior Civil Judge, Sattenapalli on 09.07.2014. The applicant has represented on 04.01.2019 stating in last two paras of her representation that she is the legally wedded wife of late N. Ramakoti as per the verdicts issued by the competent courts and that she has also filed the succession certificate issued by the competent court.

7. In view of the facts stated, it is obvious that the applicant has submitted the relevant records to the respondents. It was also mentioned

in the OA that the deceased employee has recorded the name of Mrs. Prabhavati in the respondents records and also in the pension papers. However, in view of the succession certificate being issued in favour of the applicant, it would be appropriate for the respondents to examine the same and dispose of the representation of the applicant, keeping in view the rules and regulations and law on the subject, within a period of two months from the date of receipt of this order. OA is disposed of with the above directions. There shall be no order as to costs.

**(B.V. SUDHAKAR)**  
**MEMBER (ADMN.)**

Dated, the 18<sup>th</sup> day of June, 2019

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