

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-2936/2003

New Delhi this the 5th day of July, 2005.

Hon'ble Shri Shanker Raju, Member(J)

Smt. A.J. Tinkoo,
W/o late Sh. J.D. Tinkoo,
R/o Queen Victoria Junior Girls
School, Delhi Gate, Agra, (UP).

As the Sole surviving Legal Heir of **Applicant**
Late Sh. Edwin Thomas s/o Late Mr. Thomas.

(By Advocate: None)

Versus

1. Union of India through
the Secretary,
Ministry of Railways,
Baroda House,
New Delhi.
2. General Manager,
Northern Railways,
Baroda House,
New Delhi.
3. Divl. Railway Manager,
Northern Railways,
Moradabad(UP). **Respondents**

(through Sh. R.L. Dhawan, Advocate)

Order (Oral)

None is present on behalf of applicant even on second call. The O.A. is proceeded under Rule 15 of Central Administrative Tribunal (Procedure) Rules, 1987.

2. The claim of the applicant, who is reportedly sister of the deceased who died in 1983 while serving Railways, is for retiral benefits.
3. The aforesaid claim has been contested by the respondents on the ground that at this belated stage the records are not available and also contested on the ground that the applicant had failed to furnish any valid legal proof of her being sister of the deceased.
3. Be that as it may, the one cannot be deprived of the retiral benefits. It is not established that the succession certificate has been issued, as the applicant

has not furnished any legal proof of succession certificate, the respondents are unable to process the claim of the applicant.

4. O.A. is disposed of with a direction to the respondents that in the event the applicant furnishes a valid legal proof of being successor of late brother, the respondents shall process the claim for retiral benefits, in accordance with rules.

No costs.

S. Raju
(Shanker Raju)
Member(J)

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