

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.33230 OF 2018

Dated:18.09.2018

Between:

Smt. Mary Johnson, W/o. Late Micheal
Johnson, age 69 years, House wife,
R/o.H.No.1-2-296/2, Domalguda, Hyderabad .. Petitioner

And

The Union of India, rep., by its
Secretary, Ministry of Railways,
New Delhi and others .. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.33230 OF 2018****ORDER:**

Heard.

2. Petitioner seeks for release of family pension of her husband, who retired from service on 14.11.1987 in Indian Railways.

3. A reading of the prayer itself would show that petitioner is seeking family pension of her husband, who retired from service in Indian Railways. If that being so, petitioner has to avail the remedy before the Central Administrative Tribunal (CAT) constituted under the Administrative Tribunals Act, 1985 (for short, 'the Act'). As held by the Supreme Court in ***L. Chandra Kumar v. Union of India***¹, the CAT is the Court of first instance to adjudicate service disputes and an aggrieved employee cannot directly invoke the jurisdiction of this Court.

4. The Writ Petition is accordingly dismissed granting liberty to the petitioner to avail appropriate remedy available under the Act. There shall be no order as to costs. Pending Miscellaneous Petition shall stand closed.

P. NAVEEN RAO, J

Date:18.09.2018

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¹ AIR 1997 SC 1125