

**CENTRAL ADMINISTRATIVE TRIBUNAL  
61/35, COPERNICUS MARG, NEW DELHI-110001**

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**Order Sheet**

Item no.: 47  
M.A./2952/2023 (DELHI)  
[ MODIFICATION OF ORDER ]  
In  
O.A./3388/2019  
RETIRAL BENEFITS  
Court No.: 4

No of Adjournment: 2

Order Dated: 19/10/2023

**KARAN  
Vs  
ALL INDIA RADIO**

**For Applicant(s) Advocate :** Ms. Neelima Rathore

**For Respondent(s) Advocate :** Mr. S.M. Arif, Ms. Shabnam Perween, Mr. S.M. Aatif

**Order of The Tribunal**

**MA No. 2952/2023**

Mr. S.M. Arif, learned counsel for the respondents states that he does not want to file any reply in respect of the present MA. However, he tenders his arguments based on information/instructions received from the respondents. He states that the averments made in para 6 of the MA are not correct and no such observations were made by the Tribunal on 30.05.2023.

2. Ms. Neelima Rathore, learned counsel for the applicant states that according to her, this is the matter of fact. However, she is not pressing this pleading in respect of the MA.

3. In respect of para 8 of the MA, learned counsel for the respondents states that the factual position is that Mrs. Geeta, was the only legally wedded wife of deceased Mr. Mahesh Kumar. Initially in the service record, her name was incorporated. However, after 2011, her marriage was legally dissolved and her name was replaced with Mr. Karan as son and nominee of the deceased Government employee. He states that in para 8 of the MA, it has been mentioned that Rs. 6.25 lakhs has been received by Mrs. Geeta for her maintenance and alimony. Learned counsel for the respondents averred that this has nothing to do with the controversy in respect of reliefs sought by the applicant in OA No. 3388/2019.

4. Learned counsel for the applicant, in response, states that vide order 30.05.2023, this Tribunal has directed the applicant to obtain 'No Objection Certificate (NOC)' from Mrs. Geeta. As Mrs. Geeta is legally divorced, the question of NOC does not arise as per law.

5. The short issue here is whether the correction sought by the applicant in the form of MA is permissible under law. The appropriate course of action could have been filing an RA for correction of factual errors or any significant material facts which has been omitted by the Tribunal while passing the order dated 30.05.2023 .

6. Learned counsel for the applicant requests to file an application seeking to convert the present MA to RA, which is granted.
7. List on 30.10.2023.
8. Order by **Dasti**.

**Chhabilendra Roul**  
**Member (A)**

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