

ê\$

SLP(C)No. 13229-13230 OF 2000

ITEM No.7

Court No. 6

SECTION XII

A/N MATTER

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No.13229-13230/2000

(From the judgement and order dated 13/03/2000 in SA Nos.353/98  
and 354/98 of The HIGH COURT OF MADRAS)

P. DEVAKI & ORS.

Petitioner (s)

VERSUS

P. KAMAKSHI @ KALA JACOB & ORS.

Respondent (s)

(With prayer for interim relief and Office Report)

( FOR FINAL DISPOSAL )

Date : 17/09/2002 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.B. SHAH  
HON'BLE MR. JUSTICE D.M. DHARMADHIKARI

For Petitioner (s) Mr. T. Raja, Adv.

For Respondent (s) Mr. TLV Iyer, Sr. Adv.  
Ms. Shashi Kiran, Adv.  
Ms. Anil Katiyar, Adv.  
Ms. Kiran Kapoor, Adv.  
  
Mr. V. Krishna Murthy, Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J.....R  
.SP2

The special leave petitions are disposed of in terms  
of the signed order.

.SP1

(A.S. Bisht)  
Court Master

(Janki Bhatia)  
Court Master

(Signed order is placed on the file)

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NOS.13229-13230 OF 2000@@  
EE

P. DEVAKI & ORS.

PETITIONER(S)

:VERSUS:

P. KAMAKSHI @ KALA JACOB & ORS.

RESPONDENT(S)

O R D E R@@  
EEEEEEEEEE

..L.....I.....T.....T.....T.....T.....T.....T.....T.....J...R

.SP2

Heard the learned counsel for the parties.

There was a dispute between the two wives of the deceased Palanisamy who was serving in the Railway Department. At the time of hearing of this matter the disputing parties have settled their dispute and it is agreed that-

-2-

..H.....L.....T.....T.....T.....T.....T.....T.....T...J.....R

- (1) The arrears of pension from the date of the death of Palanisamy (i.e. 3rd September, 1992) till the date of the order of this Court, shall be shared equally by the first petitioner namely, P. Devaki and first respondent namely, P. Kamakshi @ Kala Jacob. The Provident Fund, Insurance and other benefits which the deceased Palanisamy was entitled to, shall be shared by the petitioners and the respondents equally.
- (2) Thereafter, P. Kamakshi shall be given the full monthly pension of the deceased Palanisamy, by the

Railway Department.

- (3) The next question arises with regard to the job on compassionate ground which is required to be given as per the scheme framed by the Railway Department. It is agreed that the job on compassionate ground be given to P. Kani Mozhi (petitioner No.2) daughter of deceased Palanisamy, if she is otherwise qualified.

L.....I.....T.....T.....T.....T.....T.....T.....J...  
 Learned counsel for the petitioners states that petitioner No.2 - P. Kani Mozhi is fully qualified to be appointed as a clerk. The Railway Department is directed to consider the claim of the petitioner No.2 and pass appropriate orders, within two months from today.

In this view of the matter, these special leave petitions stand disposed of. The impugned order passed by the High Court stands modified to the above extent.  
 .SP1

.....J~  
 ( M.B. SHAH )@@  
 BBBBBBBBBBBBBB

.....J  
 ( D.M. DHARMADHIKARI )@@  
 BBBBBBBBBBBBBBBBBBBBBB

New Delhi;

September 17, 2002.