



**CENTRAL ADMINISTRATIVE TRIBUNAL  
CHANDIGARH BENCH**

...

**O.A. No.60/226/2019      Date of decision: 19.02.2020**

...

**CORAM: HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J).**

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Daljit Kaur aged about 47 years, through her legal guardian Sh. Daljit Singh, son of late Sh. Joginder Pal, R/o H. No.237, Sector-41A, Chandigarh, Pin-160036. Group-C.

**...APPLICANT**

**BY: SH. KAWAL PREET SINGH VIRK, COUNSEL FOR THE APPLICANT.**

**VERSUS**

1. Union Territory of Chandigarh through Accountant General (A&E), U.T. Chandigarh, Himalaya Marg, Sector-17F, Chandigarh-160017.
2. The Divisional Manager & Director Transport, U.T. Chandigarh Transport Undertaking, 216, Madhya Marg, Sector-18A, Chandigarh-160018.
3. The General Manager, Chandigarh Transport Undertaking-1, 216, Madhya Marg, Sector-18A, Chandigarh-160018.

**...RESPONDENTS**

**BY: SH. H.S. JUGAIT, COUNSEL FOR RESPONDENT NO.1.  
SH. V.K. ARYA, COUNSEL FOR RESPONDENTS NO.2&3.**



## **ORDER (Oral)**

### **SANJEEV KAUSHIK, MEMBER (J):-**

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1. Present O.A. has been filed by Sh. Daljit Singh, legal guardian of Ms. Daljit Kaur, daughter of late Sh. Joginder Pal for granting family pension, being disabled daughter of deceased employee, by impugning order dated 13.1.2016 (Annexure P-5), whereby her claim has been rejected.
2. Facts broadly are not in dispute.
3. I have heard learned counsel for the parties.
4. Learned counsel for the applicant argued that action of the respondents in rejecting the family pension to the applicant, who is mentally disabled, in terms of Rule 6.17 of the "Family Pension Scheme", is illegal and arbitrary. He, therefore, prayed that respondents be directed to consider the claim of the applicant in terms of indicated rule formation. He argued that the applicant has submitted complete documentation for release of family pension but respondents have turned down her claim by Annexure P-5 that too without giving any lawful reason as to why she is not entitled to family pension.
5. Sh. V.K. Arya, learned counsel for respondents No.2 and 3, who are employers of the deceased employee, submitted that they have recommended the case of the applicant in terms of rule formation for family pension being disabled daughter but an objection has been raised by respondent no.1 against the claim but counsel representing this respondent argued that her



claim has not been rejected and they have simply asked for a certificate that she is not married.

6. To this, learned counsel for the applicant draws attention of Court to letter/Notification dated 28.7.2014 (Annexure P-7), issued by Government of Punjab, Department of Finance, wherein it has been indicated that a disabled daughter continues to get pension, beyond the age of 25 years, irrespective of her marital status and it is ipso-facto applicable to the employees of Chandigarh Administration.
7. Considering the above narrated facts, I am of the view that ends of justice would be met if respondents are directed to consider the claim of the applicant in terms of notification dated 28.7.2014, for grant of family pension, being disabled daughter of the deceased employee, within a period of two months from the date of receipt of a copy of this order. Ordered accordingly. No costs.

**(SANJEEV KAUSHIK)  
MEMBER (J)**

Date: 19.02.2020.

Place: Chandigarh.

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