

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
**GUWAHATI BENCH**

Original Application No. 040/00413/2019

Date of Order: This, the 11<sup>th</sup> day of December 2019

**THE HON'BLE SMT. MANJULA DAS, MEMBER (J)**

**THE HON'BLE MR. NEKKHOMANG NEHSIAL, MEMBER (A)**



Smti Puspalata Devi  
Unmarried dependant daughter of  
Late Prabhat Chandra Sarma  
Ex. Chief Clerk, C:E:E;  
Maligaon, Guwahati.

Presently C/O Hemlata Devi  
Rajgarh Link Road, H. No. 13  
Zoo Road, Guwahati – 781021.

**...Applicant**

By Advocates: Sri M.B.U. Ahmed

-VERSUS-

1. Union of India  
Represented by the General Manager (P)  
Maligaon, Guwahati - 781011.
2. The F.A. & Chief Accounts Officer  
N.F. Railway, Maligaon  
Guwahati – 781011.
3. The SPO/RP, Office of the General Manager (P)  
N.F. Railway, Maligaon  
Guwahati – 781011.
4. The Assistant Executive Electrical Engineer  
N.F. Railway, Maligaon  
Guwahati – 781011.

**... Respondents**

**O R D E R (ORAL)****MANJULA DAS, MEMBER (J)**

By this O.A., applicant makes a prayer for a direction upon the respondent authorities to forthwith consider the case of the applicant for grant of family pension being the unmarried daughter of the deceased employee Late Prabhat Chandra Sarma, Ex. Chief Clerk, C:E:E:/Maligaon.



2. Sri M.B.U. Ahmed, learned counsel appearing on behalf of the applicant submitted that applicant's father, Late Prabhat Ch. Sarma, while working in the office of the C:E:E:, Maligaon as Chief Clerk, retired from service on 28.02.1981. He expired on 23.07.2007 leaving behind the applicant and four sisters and two brothers. Thereafter, applicant's mother got the Family Pension who was also expired on 10.12.2015 leaving behind the applicant and others. According to the learned counsel, out of four sisters, except one, other three are although unmarried, but employed in different organizations and there is no physically disabled persons in the family. On demise of her mother, the applicant duly submitted application along with documents

praying for grant of family pension to her under the scheme formulated for the unmarried daughters of deceased pensioner.

3. Learned counsel submitted that sisters and brother of the applicant made due declaration by way of affidavit stating their income source and no objection in the event of grant of family pension to the applicant. But till date, the respondent authorities have been sitting tight over the matter due to the fact that her name was included by her deceased father in the declaration form.



4. We have heard the learned counsel for the applicant, perused the pleadings and all the documents annexed herein. In the present case, the applicant is basically asking for family pension being the unmarried daughter of the deceased employee. We have considered the issue. However, before adjudication by this Tribunal, we deem it fit and proper to send back the matter to the respondent authorities for proper scrutiny on the point of grant of family pension. Accordingly, without going into the merit of the case as well as without issuing notice to the respondent

authorities, we direct the applicant to make a comprehensive representation before the appropriate authority within a period of 15 days from the date of receipt of a copy of this order. On receipt of such, the respondent authority/ competent authority shall consider and dispose of the said representation within a period of 2 months by taking into note the facts and circumstances of the case of the applicant thereafter.



5. It is made clear that, whatever decision to be arrived by the respondent/competent authorities, shall be reasoned and speaking and shall be communicated to the applicant forthwith.

6. With the above direction, O.A. stands disposed of at the admission stage. No order as to costs.

**(NEKKHOMANG NEIHSIAL)**  
**MEMBER (A)**

**(MANJULA DAS)**  
**MEMBER (J)**

**PB**