

**CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH
CIRCUIT BENCH, RANCHI
OA/050/00194/2019**

Date of Order: 20.01.2020

C O R A M

**HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER
HON'BLE MR. M.C. VERMA, JUDICIAL MEMBER**



Ram Rati Devi aged about 80 years, W/o Late Ram Chandra Mahato, resident of Karimanpur, P.O.- Bela Trahari, PS- Naubatpur, Patna- 801109 (Bihar).

.... Applicant

By Advocate: - Mr. M.A. Khan

-Versus-

1. Central Public Fund Commissioner, Employees' Provident Fund Organisation, 14-Bhikaji Cama Place, New Delhi- 100001.
2. Assistant Provident Fund Commissioner, Regional Office, Employees' Provident Fund Organisation, 6-R-Block, Patna- 800001.
3. Manager, Hindustan Copper Limited, PO- MAU Bhandar, Mosaband, District- West Singhbhum- 832303.

.... Respondents.

By Advocate: - Shri Sanjeev Kumar Sahay

**ORDER
[ORAL]**

Per M.C. Verma, J.M.:- The instant OA has been preferred raising grievance that the applicant is the widow of the deceased employee Ram Chandra Mahato by the respondents have not granted her family pension nor even passed any order on the representation dated 04.07.2018 (Annexure-2 series).

2. After notice reply has been filed by the respondents taking the plea that there is no nomination of the deceased employee in Form 10D and that is why family pension has not been granted to the applicant.

3. The learned counsel Shri M.A. Khan appears on behalf of the applicant on admission hearing and submits that the OA may be disposed of with direction to the respondents to consider that since the respondents have not taken any plea that the applicant is not the wife of the deceased employee and she being the wife under rule she cannot be denied family pension.

4. The learned counsel for the respondents Shri Sanjeev Kumar has no objection if the case of the applicant be re-directed to the respondents' Department for re-consideration and further that the respondents would pass a reasoned and speaking order after ascertaining the entire factual position with regard to the genuineness of the applicant being the wife of the deceased employee.

5. Before parting, it is re-directed to the respondents that rejection of family pension to the applicant on the ground of not mentioning of name of the name of the applicant in Form 10Dwithin 8 weeks from the date of receipt of this order. No order as to costs.

[M.C. Verma]
Judicial Member

[Dinesh Sharma]
Administrative Member

Srk.

