

Central Administrative Tribunal
Principal Bench: New Delhi

(2)

O.A. No. 2502/2001

New Delhi this the 21st day of September, 2001

Hon'ble Shri V.K. Majotra, Member (A)

Smt. Laxmi,
W/o Late Shri Kanda Swamy
R/o 102/C, DDA Flats, Gulabi, *Begh*
New Delhi.

-Applicant

(By Advocate: Shri U. Srivastava)

Versus

Union of India, through

1. The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Bikaner Division
Bikaner, Rajasthan.
3. The Senior Divisional Personnel Manager
Northern Railway, Bikaner Division
Bikaner, Rajasthan.

-Respondents

ORDER (Oral)

Heard Shri U.Srivastava, learned counsel of the
applicant.

2. This application is made against inaction of the respondents regarding grant of family pension to the applicant whose husband a Gangman who have been accorded temporary status died after a service of 17 years. Relying on Eluri Maithamma Vs. Divisional Railway Manager, S.C. Railway and Ors. 2000 (3) ATJ 238 decided by Hon'ble Andhra Pradesh High Court on 6.12.99 wherein in the matter of a casual labour having acquired temporary status before his death, a casual labour's family was held entitled to family pension, The learned counsel stated that though the pension court had accorded the benefit of

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(3)

gratuity to the applicant, family pension was not considered and decided by the pension court. It is also alleged that whereas a sum of Rs.8551/- was calculated as gratuity, the respondents have paid a sum of Rs.6142/- only and have not paid the remaining amount of Rs. 2409/- and the interest amount of Rs.2510. The applicant had made a representation dated 28.11.2000(Annexure A-1) regarding applicant's claim for under payment relating to gratuity with interest and Annexure A-2 dated 7.4.98 regarding non-payment of family pension which have remained undecided.

3. In my considered view, the ends of justice will be duly met at this stage itself and even without issuing a notice to the respondents if respondents are called upon to decide representations(Annexure A-1 & Annexure A-2) of the applicant with reasoned and speaking orders within a period of two months from the date of receipt of a copy of this order. I order so accordingly.

4. A copy of the OA be also sent to the respondents.

V.K. Majotra
(V.K. Majotra)
Member (A) 21.9.2001

cc.