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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A.No.2571/99

Hon'ble Shri Justice V.Rajagopala Reddy, VC(J)

New Delhi, this the 12th day of December, 2000

Chameli Devi
w/o late Shri Ram Vilas
Khalasi, PWI (Special)
Northern Railway
Tilak Bridge
New Delhi.

... Applicant

(By Shri A.K.Bhardwaj, proxy of Shri M.K.Bhardwaj,
Advocate)

Vs.

1. Union of India through
The General Manager
Northern Railway
Baroda House
New Delhi.
2. The Divisional Railway Manager
Northern Railway
Delhi Division
New Delhi.
3. The P.W.I. (Special)
Northern Railway
Tilak Bridge
New Delhi.

.. Respondents

(By Shri D.S.Jagotra, Advocate)

O R D E R (Oral)

This is an application filed by the widow for payment of family pension. The case of the applicant is that her husband has been working as Khalasi since 1983 for about ten years and after the death of her husband her son was also given compassionate appointment but the respondents had not released the family pension that is due to her.

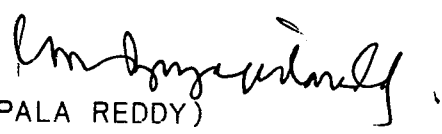
2. It is however the case of the respondents that the deceased employee was not a regular employee. He was only a casual Khalasi engaged intermittently from 1983 and during this engagement, he was frequently

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absent for long duration and ultimately died. He never passed the screening test hence the applicant is not eligible for family pension or any other benefits.

3. It cannot be denied that the family pension is allowed to the widows of regular employee of the Railways and the widow and other dependents of the casual employees are not entitled for any pensionary benefits. The applicant has not filed any material to substantiate the allegation that the deceased employee was a regular employee. There is no reason to disbelieve the averments made in the reply which is deposed to by Divisional Engineer. The contention that her son was given the compassionate appointment will not be a ground for claiming family pension. The respondents might have taken compassion and consider her case for compassionate appointment to her son. It depends upon other facts and circumstances of the case. Hence the OA fails and is accordingly dismissed. No costs.



(V. RAJAGOPALA REDDY)
VICE CHAIRMAN(J)

/RAO/