

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A.No.1018/1999

New Delhi, this the 23rd day of September, 2002

HON'BLE SH.KULDIP SINGH, MEMBER (J)

Smt.Beermati @ Biro Devi  
W/o late Shri Baljeet Singh,  
R/o Village Tilangpur Kotla,  
P.O. Najafgarh, New Delhi-43.  
(since died)  
through LRs  
Omjit (son) Age 32 years  
Pankaj (son) Age 29 years  
Poonam (daughter) 28 years  
Vajanti (Daughter) ...Applicants.  
(By Advocate : Shri Arun Bhardwaj)

Versus

1. Union of India,  
Through Sectretary,  
Central Govt. Health Scheme,  
Directorate General of Health Services,  
Nirman Bhawan, New Delhi.
2. Govt. of NCT of Delhi through  
Chief Secretary,  
5, Sham Nath Marg,  
Delhi.
3. Dean Maulana Azad Medical College,  
Bahadur Shah Zafar Marg,  
New Delhi. ...Respondents.  
(By advocate: Shri Madhav Panikar Respondent No.1  
Sh.Vijay Pandita, Respondent No.2 & 3.

O R D E R (ORAL)

The applicants have filed the seeking following  
reliefs:-

1. The respondents may be directed to release the pensionary benefits including monthly pension, family pension, GPF, gratuity, leave encashment etc. to the applicants in lieu of the services rendered by her husband with areas.
  2. The respondents may also be directed to pay interest @ 24% on the amount due, from the date of retirement till the date of payment.
  3. Costs of the petition may also be awarded to the applicant.
2. The facts, in brief, are one Shri Baljeet Singh,



(2)

who was husband of applicant, had joined under the Central Govt. Health Scheme (herein after referred to as CGHS) as a dresser in the scale of Rs.80-110 w.e.f. 5.5.1960.

3. On 5.8.1968, the applicant's husband was sent to Indian Council of Medical Research (ICMR) through proper channel and having joined ICMR his lien continued in CGHS. The project in ICMR was finished and he had worked in BHEL from 1.9.1969 to 20.1.1970.

4. On 23.1.1970, the applicant's husband rejoined Maulana Azad Medical College, Delhi for the period of two years on probation.

5. Respondent No. 3 informed to late Shri Baljeet Singh's that his previous service record is not available with respondent no.1 and he asked to submit all records in his possession vide Annexure A-2.

6. Thereafter, on a correspondence of respondent no.3 whereby authorities of MAMC informed the applicant to submit relevant document in office immediately and in any case not later than on 20.5.1982. As per Annexure A-5, whereby respondent no.1 had certified the previous record of applicant's husband. as per Annexure A-5. Now the short question arises whether the applicants are entitled to count the previous services of deceased employee for the purpose of pensionary benefits/family pension.


7. Respondents in their reply had taken a plea that the previous service record of late Shri Baljeet Singh was



(3)

not considered as the requisite information regarding Technical Resignation, details of Terminal Benefits etc. were not made available. However, the Respondent No.1 had certified that the previous record of late Shri Baljeet Singh is also available on record as per annexure A-5. So, I direct the respondents to count previous service of late Shri Baljeet Singh for the purpose of applicants' pension, who are sons of deceased employee.

8. Accordingly, the OA is allowed and respondents are directed to take into consideration the applicants' pension within a period of two months as per rules and instructions on the subject. No costs.

  
(Kuldip Singh)  
Member(J)

/kd/