

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

O.A.No.1647/98

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New Delhi, this the 10th day of September, 1998

HON'BLE SHRI N.SAHU, MEMBER(A)

Smt. Kusum Lata  
w/o late Shri Kuldeep Singh,  
RZE-669/10, Sadh Nagar,  
Gali No.18C, Palam, New Delhi-45.

....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, Delhi Division,  
Estate Entry Road,  
New Delhi.
3. The Station Master,  
Northern Railway,  
Rohtak (Haryana).

....Respondents

(By Advocate: None)

O R D E R (ORAL)

BY HON'BLE SHRI N.SAHU, MEMBER(A)

The husband of the applicant was working as casual labourer under Station Superintendent, Railway Station, Rohtak. He acquired temporary status. The applicant's husband died in harness on 14.1.91 leaving behind a widow, two minor children and old parents. By annexure A-2, a representation dated 3.3.91 was made to the Divisional Railway Manager, Northern Railway, New Delhi who is impleaded here as respondent no.2. This was followed by another representations on 19.3.91, 7.5.91, 11.12.92, 12.4.93 and reminders on 4.8.94, 10.1.95, 11.9.95, 5.5.96 and 22.9.97. As this is a matter where family pension is claimed, there is no point of limitation attached to the

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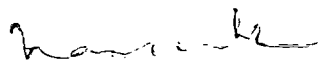
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claim because family pension claim recurs every month. Since the applicant died as a casual labour with temporary status, the claim cannot be dismissed. Under the circumstances, this O.A. can be disposed of by directing respondent no.2 to dispose of the representations pending before <sup>in order</sup> ~~them~~ over a period of 7 years. Another representation was also addressed on 4.8.97 to the General Manager, Northern Railway, New Delhi who is impleaded in this O.A. as respondent no.1. The applicant states that her husband being a temporary servant under sub-rule 3(b) of Rule 2311 under which it is provided that the widow, minor children of a temporary railway servant who dies after completing one year's service, shall be eligible for family pension. Since the respondent no.2 has not disposed of the representation even after several reminders, it would be appropriate to issue a direction only to respondent no.1.

2. I hereby direct respondent no.1, the General Manager, Northern Railway, Baroda House, New Delhi to dispose of the representation dated 4.8.87 (Annexure A-1) to the O.A. within a period of eight weeks from the date of receipt of a copy of this order.

3. The Registry is directed to forward all the papers in the O.A. to the General Manager, Northern Railway, Baroda House, New Delhi facilitating him to dispose of the representation of the applicant. The representation shall be disposed of by a speaking order.

4. O.A. is disposed of as above. No costs.

  
( N. SAHU )  
MEMBER(A)

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