

Central Administrative Tribunal, Principal Bench

O.A.No.231/97
M.A.No.280/97

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this 14th day of May, 1997

1. Smt. Jaya
w/o Shri Babu Lal
r/o H.No.2, Type-I
ITI Staff Quarters
Vivek Vihar
Delhi.
2. Mr. Dev Kumar(Minor)
s/o Sh. (late) Nand Kishore
3. Pawan Kumar(Minor)
s/o Shri (late) Nand Kishore
4. Vinay Kumar(Minor)
s/o Shri (late) Nand Kishore. ... Applicants
(By Shri S.K.Gupta, Advocate)

Vs.

1. Govt. of N.C.T. of Delhi
through - Chief Secretary
Delhi Administration.
Delhi.
2. Director-cum-Secretary
Directorate of Technical Education
Rose Avenue (I.T.O.)
New Delhi.
3. The Pay & Accounts Officer
Central Pension Accounting Office
R.K.Puram
New Delhi.
4. Pay & Accounts Officer
P.A.O. No.XI, Old Secretariat
Delhi. ... Respondents
5. Manager
Bank of Maharashtra
Vivek Vihar
Delhi - 110 095. ... Proforma Respondent

(By Shri Rajinder Pandita, Advocate)

with Shri Shyam Babu proxy of Shri M.K.Gupta, Advocate for R3 & 4
O R D E R(Oral)

With the consent of the learned counsel on either
side, this matter is disposed of at the admission stage
itself. Brief facts of the case are as under:

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2. Applicant No.1 is a sister and Applicant No.2 to 4 are sons of the deceased Government employee, Shri Nand Kishore who died in harness. Applicant No.1 has been appointed as Guardian of the survivors of late Shri Nand Kishore vide order of the District Judge, Delhi passed on 10.05.1991. The applicant No.1, on the basis of the above, has been appointed on compassionate basis as Peon in the office of Respondent No.2. Family pension was sanctioned in due course in favour of Applicants No.2 to 4 vide Pension Payment Order (P.P.O.) No.67099-91-0131-6 (Annexure A4). The deceased employee also had one other child Ms. Purnima. She is also entitled to family pension. However, she disappeared and has been missing. A complaint has also been filed with the ^{Police} ~~administration~~. The respondents, however, thereafter stopped the family pension in respect of the remaining minors. Applicant No.1 met personally ~~to~~ several officers along with copy of ~~the~~ police complaint. No action was taken on the pension. This application has been filed seeking a direction to release the monthly family pension along with the arrears and interest thereon.

3. The respondents have appeared on notice through counsel Shri Rajinder Pandita. Learned counsel ~~has~~ produced a copy of the sanction letter dated 5.5.1997 whereby family pension has been sanctioned through Guardian, Applicant No.1. A copy of the sanction order is taken on record.

4. Learned counsel for the applicant, Shri S.K.Gupta, submits that in view of the sanction order issued by the respondents, the reliefs sought for by the applicant are substantially granted. He submits that he

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would be satisfied if the respondents are directed to complete all the formalities and make the payments within one month from now. However, payment is made by the Bank. No specific direction is required at this stage. ~~However~~ I expect that the Bank will release the payments expeditiously.

5. In the light of the above position, the reliefs sought for by the applicant having been granted substantially, the OA is disposed of as having become infructuous.


(R.K. AHOOJA)
MEMBER(A)

/rao/