

Central Administrative Tribunal
Principal Bench
New Delhi

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O.A. No. 2853/97

Decided on 18.11.98

Mrs. Harjeet Kaur Applicant
(By Advocate: Shri D.R. Gupta)


Versus

Union of India & Ors. Respondents
(By Advocate: Shri Rajeev Bansal)
Shri Shyam Babu)

CORAM

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

1. To be referred to the Reporter or Not? YES
2. Whether to be circulated to other outlying benches of the Tribunal or not ? No.


(S.R. Adige)
Vice Chairman (A)

Central Administrative Tribunal
Principal Bench

O.A. No. 2853 of 1997

New Delhi, dated this the 18th November, 1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Mrs. Harjeet Kaur,
W/o late Shri Nirmal Singh Khaira,
R/o Vill. & PO Khaira Majja,
Dist. Jalandhar,
Punjab. Applicant

(By Advocate: Shri D.R. Gupta)

Versus

1. Union of India through
The Secretary,
Dept. of Civil Aviation,
Safdarjung Airport,
New Delhi.
2. Sr. Accounts Officer,
Central Pay & Accounts Office,
Dept. of Civil Aviation Dept.
Safdarjung Airport,
New Delhi.
3. Chief Controller (Pension),
Central Pension Accounting Office,
R.K. Puram, New Delhi.
4. Regional Executive Director (Delhi Region),
National Airports Authority,
Indira Gandhi International Airport,
New Delhi. Respondents

(By Advocate: Shri Shyam Babu for R-4
Shri Rajeev Bansal for R-1 to 3
along with Dept. Repr. Shri
A.K. Pathak)

O R D E R (Oral)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Applicant prays for grant of Family Pension
w.e.f. 26.6.90 together with arrears and interest
@ 18% p.a. thereon along with compensation of
Rs. 5000/-.

(18)

2. I have heard applicant's counsel Shri D.R.Gupta and Shri Rajeev Bansal who was assisted Departmental Representative Shri A.K. Pathak, Senior Accountant.

3. Shri Bansal states that applicant could not be paid her Family Pension till date because the PPO had not been received from A.G., Chandigarh but after filing the O.A. and pursuant to the Tribunal's instructions, steps have been taken to pay the applicant her Family Pension vide order dated 17.11.98, a copy of which has been taken on record.

4. The reasons given for the delay in paying the applicant her Family Pension, as averred by Shri Bansal are clearly unsatisfactory. Applicant is a poor widow who has been deprived of her rightful Family Pension for over 8 years. In somewhat similar circumstances, the Tribunal in its order dated 4.11.97 in O.A. No. 2324/96 Leelawati Vs. Govt. of NCT, Delhi & Anr., had ordered the respondents to pay interest @ 18% p.a. on that applicant's retiral dues w.e.f. the date of death of her father till the date of payment of the amount.

5. I am satisfied that the ratio of the aforesaid order in Leelawati's case (Supra) is fully applicable to the facts and circumstances of the present case, and under the circumstances

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respondents are directed to pay applicant interest @ 18% p.a. on her Family Pension dues w.e.f. 26.6.90 till 17.11.98. This should be paid to the applicant within three months from the date of receipt of a copy of this order.

6. Secondly, consequently to the revision of the Family Pension pursuant to the recommendations of V Pay Commission, the revised Family Pension together with arrears thereon should also be calculated and paid to the applicant within three months from the date of receipt of a copy of this order. In the event respondents have not complied with the aforesaid directions within the time allowed, further penal interest will be attracted. The prayer for costs is rejected.

7. This O.A. is disposed of in terms of Para 5 and 6 above. No costs.


(S.R. ADIGE)
VICE CHAIRMAN (A)

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