

(17)

Central Administrative Tribunal
Principal Bench

O.A.No.346/97

Hon'ble Mr. Justice K.M.Agarwal, Chairman
Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 15th day of September, 1998

Smt. Laxmi Devi
w/o late Shri Har Sarup Sharma
r/o B-12/1A, East Azad Nagar
Delhi - 51.

... Applicant

(By Shri Paritosh Budhiraja proxy of Shri K.L.Budhiraja,
Advocate)

Vs.

Employees State Insurance Corporation
through Director General
Ferozshah Kotla Road
New Delhi.

Director Medical (Delhi)
Employees State Insurance Corpn.
E.S.I.C. Hospital Complex
Basai Darapur
New Delhi.

... Respondents

(By Shri Mohinder Kumar, Departmental Representative on
behalf of the respondents)

O R D E R (Oral)


Hon'ble Mr. Justice K.M.Agarwal, Chairman


This OA has been filed by the widow of late Shri Har Sarup Sharma, Ex. employee of the respondents. The prayer is for refixation of the pay of her late husband and to make payment of arrears of his salary accordingly. Further prayer is for suitable amendment or refixation of her claim for retiral benefits in accordance with the refixation of the salary of her husband. It is not disputed by the learned counsel for the applicant that during the pendency of the OA, pay was refixed and arrears of pay have also been payable to the applicant. The learned counsel for the applicant says that further reliefs in regard to post retirement benefits have not been granted to the applicant.

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2. We are of the view that after the pay of the late husband of the applicant is refixed, the respondents may refix the post retirement benefits of the deceased's family including family pension. This may take some time. Accordingly, this OA can be disposed of by directing the respondents to refix and settled the post retirement benefits of the deceased's family, including the family pension, within a period of three months from the date of receipt of a copy of this order. After that, if the applicant feels aggrieved by the refixation of her family pension or other post retirement benefits of her late husband, she will be at liberty to file a fresh OA in that regard.

3. Subject to observations aforesaid, this application is disposed of. No costs.


(K.M. Agarwal)
Chairman


(R.K. Ahooja)
Member(A)

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