

Central Administrative Tribunal
Principal Bench: New Delhi

OA 1010/97

New Delhi this the 15th day of May 1997.

Hon'ble Mr N. Sahu, Member (A)

Smt. Kanta
W/o Late Shri Som Raj
R/o Quarter No. 35/1 (Type-III)
CVD Lines
Delhi Cantt.

...Applicant.

(By advocate: Shri Yogesh Sharma)

Versus

Union of India through

1. The Secretary
Ministry of Defence
New Delhi.
2. The Commander
Kendriya Ayudh Bhandar
Central Ordnance Depot (COD)
Delhi Cantt.
3. The Quarter Master
Sec Cdr, Section - 7.
Central Vehicle Depot
Delhi Cantt. 10.

...Respondents.

(By advocate : None)

O R D E R (oral)

Hon'ble Mr N. Sahu, Member (A)

Heard Shri Yogesh Sharma, learned counsel for the applicant.

2. The only relief sought in this petition is a direction to the respondents to grant family pension, DCRG, Gratuity and leave encashment with interest for the delay. The applicant is the widow of late Shri Som Raj P.No.5336879 who worked as Office Supdt in Central Ordnance Depot, Delhi and died in harness on 20.3.95 leaving behind him the widow and three sons. Para 4.4 states that on the death of the deceased employee, the applicant made a representation for grant of family pension and other

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terminal benefits. My attention was drawn to Annexure A-7 (Page 17 of the application), addressed to the Commandant, Central Ordnance Depot, Delhi Cantt. The application was addressed in May 1996. Finding no response and facing penury in view of the dependents, the applicant filed this petition. The averments in the OA show that the applicant's case is uncomplicated. At any rate, the rules, instructions and guidelines for grant of family pension should be applied to a case of this type. Respondents seemed to be aware of the applicant's case because they were alive to the applicant's plea for compassionate appointment. This claim, initially included in the "Reliefs" was withdrawn by the applicant at the instance of the court as this was hit by Rule 10.

3. This OA can be disposed of by an appropriate direction to the respondent No.2 to whom the applicant addressed the representation. She also claims that the authorities have been approached several times for full retirement benefits and compassionate appointment. Accordingly, I direct the respondent No.2 to dispose of the pending claims of the applicant relating to family pension, DCRG and other retirement benefits within a period of 8 weeks from the date of receipt of a copy of this order. All the papers filed in this OA alongwith the annexures and enclosures shall be forwarded to Respondent No.2. If the respondent No.2 is not in position to agree with the claims, he shall pass a reasoned order and communicate the same to the applicant. If the applicant is still aggrieved against the order of the respondent, she is free to approach the Tribunal again. I

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also direct that till disposal of the retiral claims, within the stipulated period, the applicant shall not be evicted from the quarter. OA is disposed of.

N. Sahu
(N. Sahu) 15/5/97

Member (A)

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