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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

C.P.No. 158/95

IN

O.A.No. 975/93.

Dated: the 22nd May, 1996.

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

HON'BLE MRS.LAKSHMI SWAMINATHAN, MEMBER (J).

Smt.Shakuntla Devi,

Widow of Late Shri Shambhu Dayal Tewari,

House No. 184, Vikaspuri,

New Delhi.

.....Applicant.

By Advocate: Shri G.D.Bhandari.

Versus

1. Shri R.Venkateshwaran,
General Manager,
Western Railway,
Churchgate,
Bombay.

2. Shri R.C.Tripathi,
Divisional Railway Manager,
Western Railway,
Jaipur.

....Respondents.

By Advocate: Shri P.S.Mahendru

ORDER

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

In this CP bearing No. 158/95 filed by Smt.Shakuntla Devi, it has been alleged that the respondents have wilfully and deliberately not complied with the directions contained in judgment dated 16.8.94 in OA No. 975/93 Smt.Shakuntla Devi Vs. UOI & others, as extracted below:

"In the circumstances, it would be fit and proper to direct the respondents to once again issue a copy of the PRO dated 7.2.80 mentioned supra to the State Bank of Bikaner & Jaipur ,

bringing out the claim of the applicant that no payment has been received by the retired employees and subsequently by the family. A copy of the PFO should also be sent to applicant at the address given in the OA for necessary follow up action. The only other relief to be considered is with regard to post-retirement complimentary passes which issue has now become irrelevant in view of the death of the applicant. At this stage the learned counsel for the applicant prayed that the case of commutation of pension may once again be reviewed by the respondents. This may be done provided the applicant is in a position to produce any relevant records with a representation which if submitted may be disposed of by the respondents as per rules and as admissible."

2. We have heard Shri G.D.Bhandari for the applicant and Shri P.S.Mahendru for the respondents.

3. Respondents' counsel has invited our attention to letter dated 21.9.82, a copy of which is taken on record, from the perusal of which it is clear that the said letter was received by the bank authorities. It is thus clear that the pension had been sanctioned to the applicant's late husband. Furthermore, in respondents' reply it has been stated that the applicant's deceased husband had received pension till 16.5.85 & thereafter his wife (the present applicant) had taken a banker's cheque bearing No.763950 for a sum of Rs.718/- and had closed the account. These assertions have not been categorically denied by the applicant in her rejoinder.

4. During hearing Shri G.D.Bhandari has asserted that the applicant had not been

sanctioned her family pension, after the demise of her late husband, but it is clear from the Bank's letter dated 19.1.96 addressed to the applicant, a copy of which is also taken on record, that they had enclosed with their letter, a copy of the form for sanctioning of family pension which the applicant was required to fill up and return to the bank authorities for further action. In case the applicant has not done so, it is open to her to do so even now.

5. Manifestly, nothing survives in this CP which is dismissed, and the notices against the ^{alleged} contemnors are discharged.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)
MEMBER (J).

S.R. Adige
(S.R. ADIGE)
MEMBER (A).

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