

**CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH, AHMEDABAD.**

OA No.189/2020

This the 17th day of July, 2020

Smt.Chanchalben,
Widow of Shri Tarachand Chauhan
Age about 62 years,
Ex.TOA(G) of the respondents.
Residing at – 173, Sumin Park,
GD High School Road,
Saijpur Bhogha Road,
Ahmedabad 382 345. Applicant

(By Advocate : Shri M.S.Trivedi)

VERSUS

1. The Secretary
O/o. D.G., Department of Telecom
Ministry of Telecommunication and I.T.
Sanchar Bhavan,
New Delhi 110 001.
2. The Chief General Manager
O/o. CGM, BSNL,
Telephone Bhavan, C.G.Road,
Navrangpura,
Ahmedabad 380 007.**Respondents**

ORDER – ORAL

Per : Hon'ble Shri J.V. Bhairavia, Member (J)

In the instant OA, it is the grievance of the Applicant that her representation dated 26.06.2019(Annexure A-1) for grant of ex-gratia pension has not been decided till date by the Respondents.

It is the case of the Applicant that she has stated to be widow of ex-employee i.e. Late Shri Tarachand Chauhan. The said Late Shri Tarachand Chauhan was working as TOA (G) with the Respondents and he had exercised his option by opting for BSNL instead of DOT. During pending of acceptance of said option of Late Shri Tarachand, he was convicted in criminal case. Therefore, the Respondents vide order dated 29.05.2009 dismissed the Applicant from the service.

The husband of the Applicant, aggrieved by the judgment of conviction preferred Criminal Appeal before the Hon'ble High Court and during pendency of the said Criminal Appeal, the husband of the Applicant died. Thereafter, the Applicant submitted an application to grant her ex-gratia pension. However, the same has not been considered by the Respondents.

2. Counsel for the Applicant also submits that subsequently the Hon'ble High Court of Gujarat in Criminal Appeal No.2753/2008 upheld the conviction of the Applicant.

Counsel for the Applicant further submits that the Respondents has not considered the representation dated 26.06.2019 (Annexure A-1) till date and therefore, he requests that the Applicant may be satisfied, if appropriate direction be issued to the Respondents to consider the representation dated 26.6.2019 (Annexure A-1) of the Applicant sympathetically due to her penury position.

3. In view of the submissions of the counsel for the Applicant, in the interest of justice, the OA is disposed of with a direction to the Respondents, if the representation dated 26.6.2019 (Annexure A-1) has yet not decided, the same shall be considered and decide sympathetically within a period of two months from the date of receipt of a copy of this order and intimate the decision so taken to the Applicant within a period of fifteen days, thereafter. It is made clear that the Tribunal has not expressed any opinion on the merits of the case.

4. Accordingly, in the light of the aforesaid observations, the OA stands disposed of. No order as to costs.

(J.V.Bhairavia)
Member (J)

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