

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

OA No.254/2020 with MA No.237/2020

This the 31st day of August, 2020

**Coram : Hon'ble Shri J.V.Bhairavia, Member (J)
Hon'ble Dr. A.K.Dubey, Member (A)**

Shri Bakulbhai G.
S/o. Ganpatbhai
Aged 43 years
Residing at : B-603, Shree Nath City, CTM,
New Maninagar,
Ahmedabad – 380 015. Applicant

(By Advocate : Ms. S.S.Chaturvedi)

VERSUS

1. Union of India,
Notice to be served through
The General Manager,
Western Railway, Churchgate,
Mumbai 400 020.
2. The Divisional Railway Manager (E)
Western Railway, Pratapnagar,
Vadodara – 390 004.
3. Sr. Divisional Finance Manager
Western Railway, Pratapnagar
Vadodara 390 004. **Respondents**

(By Advocate : Shri M.J.Patel)

ORDER – ORAL

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

Considering the reasons and sufficient explanation as stated in the
MA No.237/2020 for condonation of delay, the delay caused in filing
the present OA No.254/2020 is accordingly condoned. MA stands
allowed.

2. It is submitted by the counsel for the applicant that father of the applicant, who was Railway employee, he expired on 18.5.2001. Thereafter, his widow i.e. mother of the applicant herein was regularly receiving family pension. When the respondents had issued the revised Pension Payment Order issued on 23.8.2012 (Annexure A-4) in favour of the mother of the applicant, the name of the applicant was also mentioned as “Physically Handicapped Son” of the pensioner. The mother of the applicant i.e. Smt.Hansaben Ganpatbhai Parmar expired on 28.01.2018 and thereafter, the applicant who is physically handicapped son of late pensioner is entitled to receive family pension. Therefore, the applicant has submitted representation dated 20.4.2018 (Annexure A-1), the said representation is yet not decided by the respondents. Hence, this OA.

3. On the other hand, counsel for the respondents Shri M.J.Patel on receipt of the advance copy of this OA, appears and submits that if claim of the applicant / representation dated 20.4.2018 (Annexure A-1), if not yet decided, the same will be considered in accordance with the rules.

4. At this stage, counsel for the applicant also submits that while submitting the representation / application dated 20.4.2018 (Annexure A-1), instead of “*Family pension to disable son Bakulbhai of the deceased Railway pensioner Smt. Hansaben Ganpathbhai*” inadvertently, it was stated “*Family pension to divorce daughter of*

deceased Railway pensioner Shri Hansaben Ganpathbhai". It was actually typing mistake. In fact, the applicant is "*Disable son*" of the pensioner Smt. Hansaben Ganpathbhai. The counsel for the applicant requests that the said was *bona fide* mistake and the same shall be rectified and the respondents be directed to take note of this fact.

5. Considering the submissions of learned counsel for both the parties and on perusal of material on record, we dispose of this OA with a direction to the respondent No.2 to consider and decide the representation / application dated 20.4.2018 (Annexure A-1) of the present applicant i.e. Bakulbhai Ganpatbhai Parmar, disable son of late pensioner i.e. Smt. Hansaben Ganpatbhai Parmar within six weeks from the date of receipt of a copy of this order and intimate the decision to the applicant. Accordingly, the OA stands disposed of.

(A.K.Dubey)
Member (A)

(J.V.Bhairavia)
Member (J)

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