

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD

(This the 13th **Day of January**, 2021)

Hon'ble Mr. Devendra Chaudhry, Member (Administrative)

Original Application No.330/00039/2021

Km. Siso Mani D/o Late Ram Narayan, aged about 33 years, R/o Behind Kopal Hospital, Suresh Sharma Nagar, District Bareilly, U.P 243006.

..... **Applicant**

By Advocates: Shri A.D. Singh

Versus

1. Union of India through its General Manager, Northern Railway, Baroda House, New Delhi.
2. Finance Advisor & Chief Account Officer, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Moradabad.
4. Divisional Finance Manager, Northern Railway, Moradabad.

..... **Respondents**

By Advocate: Shri G.K. Tripathi

ORDER

The undersigned has joined this single Bench online through Video Conferencing.

2. Shri A.D. Singh, learned counsel for the applicant is present in court and Mr. G.K. Tripathi, learned counsel for the respondents is present online through virtual conferencing.

3. Heard learned counsel for both the parties on admission.

4. The date of demise of the mother has been wrongly entered in the O.A by the applicant. Correction for the same may be made forthwith. Since it is a matter of date, there is no need of written

objection or any contravention thereof. It is a matter of fact the death certificate of the mother is not appended, should be attached with the O.A. The matter concerns family pension to the unmarried daughter. The last representation made in this connection is of 25.01.2019 with a reminder on 20.02.2020. The first representation was made on 02.03.2017 and since then matter is pending.

5. There is a delay of about more than 3 years in coming to the Tribunal for the relief claimed in the O.A. even though the representation regarding the same has been given. Since it is a pensionary benefit and it is a matter of right and since it is a recurring cause of action. Therefore, the lacuna in terms of not filing the formal delay condonation application is excused.

6. Based on the above facts and position of law, the competent authority is directed to decide the representation of the applicant dated 02.03.2017/25.01.2019 by a reasoned and speaking order within a period of three months from the date of receipt of a certified copy of the order. The decision in respect of this representation may be communicated to the applicant forthwith.

7. With the aforesaid direction, the OA is finally disposed off at the admission stage. It is made clear that we have not expressed any opinion on the merits of the case.

8. There shall be no order as to costs.

(Devendra Chaudhry)
Member (A)

Manish/-