

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 23rd day of December 2020

Original Application No. 330/00775 of 2020

Hon'ble Mr. Devendra Chaudhary, Member (A)

Km. Nisha Kumari, aged about 25 Years, D/o Late Bhola Nath, R/o Village Gosayeen Ka Talab, Post Chaka Naini, Allahabad.

. . .Applicant

By Adv : Shri Dharmendra Tiwari

V E R S U S

1. Union of India through its Secretary, Ministry of Defence, New Delhi.
2. The Director General of Ordnance Services (OC-8C) (ii) MGO Branch Integrated Head Quarters of MoD (Army), DHQ Post, New Delhi.
3. The Commandant, Central Ordnance Depot, Chhionki, Allahabad.
4. The Area Accounts Officer I, Ashoka Marg, Allahabad.

. . .Respondents

By Adv: Shri Chakrapani Vatsyayan

ORDER

Shri Dharmendra Tiwari, learned counsel for the applicant and Shri Chakarpani Vatsyayan, learned counsel, who has received advance notices on behalf of the respondents, both are present in Court.

2. Heard learned counsel for both the parties on admission and perused the record available with me in pdf. During virtual hearing the learned counsel for the parties agreed that the audio and visual quality is proper.

3. Learned counsel for the applicant submits that the pension dues are the rightful claim of the unmarried daughter, which is the applicant in

this matter, because the mother has also demised apart from the demise of the father of the applicant. Vide impugned order dated 10.10.2020 (Annexure A-1), the claim of the applicant has been refused on the frivolous ground of some discrepancies in age recorded by the father as against the age recorded in the concerned education certificates.

4. Learned counsel for the applicant submits that the interest of justice would be served if a direction is issued to the competent respondent to decide the claim of the applicant under law with reasoned and speaking order on representation to be filed by the applicant alongwith an affidavit and the necessary rules and guidelines thereof.

5. The plea of learned counsel for the applicant is accepted and it is hereby directed that the applicant shall file a detailed representation quoting the rules and law and the affidavit regarding the birth certificate etc to the competent respondent amongst the arrayed parties, within a period of 2 weeks from the date of receipt of certified copy of this order and the competent respondent shall decide the said representation within a period of 6 weeks from the date of receipt of copy of the said representation. The order so passed on the representation of the applicant shall be communicated to him forthwith.

6. In view of the above, the OA is disposed off. There shall be no order as to costs.

7. It is made clear that no opinion has been expressed on merits of the case.

(Devendra Chaudhary)
Member (A)

/pc/