

Through Video Conferencing**CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR****Original Application No.200/654/2020**

Jabalpur, this Thursday, the 03rd day of December, 2020

**HON'BLE MR. RAMESH SINGH THAKUR, JUDICIAL MEMBER
HON'BLE MS. NAINI JAYASEELAN, ADMINISTRATIVE MEMBER**

1. Smt. Beldas (Anjum Parveen), D/o Late Kristadas aged about 53 years, Housewife & Guardian of Justindas Applicant No.2, R/o Ward No.28, Purani Basti and house of Israr Ahamed Shahdol M.P. 484001.

2. Justindas, S/o Late Kristadas, aged about 42 years, mentally disable through Legal Guardian Applicant No.1 Smt. Beladas (Anjum Parveen), R/o Ward No.28, Purani Basti and house of Israr Ahamed, Shahdol M.P. 484001 **-Applicants**

(By Advocate – Shri Kishore Roy)

V e r s u s

1. Union of India through General Manager, South East Central Railway, Bilaspur 495004.

2. Divisional Railway Manager, South East Central Railway, Bilaspur 495004.

3. Sr. Divisional Personnel Officer, South East Central Railway, Bilaspur 495004. **-Respondents**

(By Advocate – Shri A.S. Raizada)

O R D E R

By Ramesh Singh Thakur, JM.

Heard.

2. This Original Application has been filed by the applicants for grant of family pension to applicant No.2.



3. From the pleadings, the facts of the case are that father of the applicants superannuated on 28.02.1993 while working with the respondent department,. Thereafter, he died on 12.07.2005. Mother of the applicants has already died on 25.12.1982. Applicant No.2 is mentally disable and was fully dependent on his father in his lifetime. The applicant No.1 preferred a representation on 26.11.2018 (Annexure A-4) for grant of family pension in favour of applicant No.2. The applicant No.1 has also filed M.J.C. No.01/2018 before the District Court, Shahdol for appointing her guardian of applicant No.2. The learned District Judge had passed the order on 31.08.2018 (Annexure A-6) in favour of applicant No.1 and appointed her guardian of applicant No.2 under Section 53 of Mental Health Act, 1987. Thereafter, the applicant No.1 again preferred a representation on 21.08.2020 (Annexure A-7) for re-authorize family pension in favour of applicant No.2. However, the same has not been decided yet.

4. At this stage, learned counsel for the applicants submits that the applicants will be satisfied if the respondents are directed to consider and decide the representations (Annexure A-4 and A-7) in a time-bound manner.

5. We have considered the matter and we are of the view that ends of justice will be met if the respondents are directed to decide applicants' representation (Annexure A-4 and A-7) within a time frame. Accordingly, the competent authority of the respondent department is directed to decide the representation

dated 26.11.2018 (Annexure A-4) and 21.08.2020 (Annexure A-7) for grant of family pension to applicant No.2, within a period of six weeks from the date of receipt of a copy of this order. Needless to say that the competent authority shall pass the reasoned and speaking order and all the contentions raised in the representations shall be dealt with.

6. With these observations, this Original Application is disposed of at the admission stage itself.



(Naini Jayaseelan)
Administrative Member
am/-

(Ramesh Singh Thakur)
Judicial Member