



**Central Administrative Tribunal  
Jammu Bench, Jammu**

Hearing through video conferencing

**O.A. No.61/1133/2020**

Wednesday, this the 1st day of December, 2020

**Hon'ble Mr. Rakesh Sagar Jain, Member (J)**  
**Hon'ble Mr. Anand Mathur, Member (A)**

Neelam Kumari, age 64 years, w/o Late Sh. Dev Mittar Bali, R/o Village Bhainejh,  
Tehsil Haveli District-Poonch.

.....Applicant

By Advocate: Mr. Waseem Akram Mir

**Versus**

1. Union Territory of Jammu and Kashmir through its Commissioner/Secretary Education Department, Civil Secretariat, Jammu-180001.
2. Chief Education Officer, Poonch-185101.
3. Zonal Education Officer Kanuyian, Poonch-185101.
4. Accountant General (A&E), Shakti Nagar, Jammu -180001.

..... Respondents

(By Advocate: Shri Sudesh Magotra, D.A.G.)

**ORDER (ORAL)**

**Hon'ble Mr. Rakesh Sagar Jain, Member (J) :**

1. O.A has filed the instant O.A. seeking following reliefs :-

*“8 (a) Commanding upon the respondents particularly respondent No.4 to grant sanction/authorisation to the applicant second wife of the deceased husband Sh. Dev Mittar Bali for family pension in her favour under PPO No. 110080 in place of Late Smt. Kamlesh Rani first wife of the deceased Sh. Dev Mittar Bali died on 29.08.2018 in response to the recommendation/case forwarded by the respondent no.3 to the respondent No.4 vide his letter No.ZERO/k/198.99 dted 07.05.2019 in light of the judgment passed by the Madras High Court in case titled S. Parvathy V/s Principal Accountant General.*

*(b) Further, commanding upon the respondent No.3 to furnish remineer to the respondent No.4 in continuation to earlier recommendation dated 07.05.2019 for giving authorization to the applicant for family pension for which she is entitled after the death of first wife being the only surviving family as per the Legal Heir Certificate issued by the Tehsildar haveli (Poonch) vide his No. MM/H/203 dated 18.01.2019.*

*(c) Any other relief, which this Hon'ble Tribunal in the facts and circumstances of the case deems fit and proper.”*

2. Heard. Learned counsel for the applicant and Mr. Sudhesh Magotra, learned Deputy Advocate General and gone through the O.A. and documents annexed.

3. During the course of arguments, learned counsel for the applicant submitted that the representation of the applicant dated 21.09.2020 (Annexure A/4) is pending with the respondents. He further submitted that applicant would be

satisfied if a direction is given to respondents/competent authority to consider and decide the representation of the applicant within a stipulated period of time.

4. Looking to the limited prayer made by learned counsel for the applicant, O.A is disposed of at the admission stage itself with a direction to the respondents/competent authority to consider and dispose of the pending representation of the applicant dated 21.09.2020 (Annexure A/4), by passing a reasoned and speaking order in accordance with rules within a period of one month from the date of receipt of a certified copy of this order with intimation to the applicant. It is made clear that we have not expressed any opinion on the merits of the case. No costs.

**(ANAND MATHUR)**  
**MEMBER (A)**

**(RAKESH SAGAR JAIN)**  
**MEMBER (J)**

Mks.