

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

OA No.702/91

Date of decision: 23.9.92

Smt.Prem Bai & others ... Applicants

versus

Union of India & Ors. ... Respondents

CORAM: THE HON'BLE SH.S.P.MUKERJI, VICE-CHAIRMAN(A)
THE HON'BLE SH.T.S.OBEROI, MEMBER(J)

For the Applicant ... Sh.V.P.Sharma,
Counsel.

For the Respondents ... Sh.R.L.Dhawan, Counsel

1. Whether local reporters may be allowed to see the Judgement? *Yes*
2. To be referred to the reporter or not? *No*

JUDGEMENT

(DELIVERED BY HON'BLE SH.S.P.MUKERJI, VICE-CHAIRMAN)

This application dated 16.2.91 has been filed by the widow and son of one Sh.Mangal Singh who as a permanent Railway employee in the Northern Railway as Gangman, died in harness on 9.4.64 vide the certificate at Annexure A-6. The applicants have prayed that they should be granted family pension with effect from 22.9.77 on the basis of the Railway Board letter dated 25.2.86. The respondents have contested the applicant for grant of family pension on the ground that the deceased Railway employee Sh.Mangal Singh did not belong to a pensionable establishment.

2. When the case was taken up for arguments, learned counsel for the respondents, Sh.R.L.Dhawan reiterated the assurance given in para 4.6 of the counter-affidavit that the first applicant, i.e. the widow " would be entitled to ex-gratia family

pension at the rate of Rs.150 per month plus relief with effect from 1.1.1986 and that she should submit her claim on the prescribed proforma which was also sent to her." The learned counsel for the applicant did not press the application further if the aforesaid assurance is fulfilled.

3. In the facts and circumstances, we dispose of this application with the direction to the respondents that they will ^{again} send within two weeks from the date of communication of this order, the prescribed proforma to the first applicant for grant of ex-gratia family pension at the rate of Rs.150 per month and direct them to sanction and pay the ex-gratia family pension at the rate of Rs.150 per month with effect from 1.1.1986 along with all admissible reliefs ^{and arrears} within three months from the date of receipt of the application form duly filled in by the applicant. There will be no order as to costs.

23.9.92
(T.S.OBEROI)
MEMBER(J)

S.P. Mukerji
(S.P.MUKERJI)
VICE-CHAIRMAN(A)

SNS