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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 2173/2004

New Delhi, this the 23rd day of December, 2004

Hon'ble Mr. Justice M.A. Khan, Vice-Chairman (J)

Smt. Keshri Devi
Wife and legal heir
Of Sh. Nanhu Ram
R/o C-447, Harsh Vihar,
Nagar Market, Part - III,
Tanki Road, Meetha Pur
New Delhi - 110 041.

...Applicant

(By Advocate Shri S.M. Rattanpaul)

Versus

1. Union of India
Through the Secretary
Ministry of Power
Shram Shakti Bahwan
New Delhi.
2. The Secretary
Ministry of Personnel
Public Grievances & Pensioners
North Block,
New Delhi.
3. The Chairman
Central Electrical Authority
Sewa Bhawan,
R.K. Puram,
New Delhi.

...Respondents.

(By Advocate Shri B.K. Barera)

ORDER (ORAL)

Mr. Justice M.A. Khan, Vice-Chairman (J):

During the hearing, learned counsel for the respondents has produced a copy of the letter passed by the Central Electricity Authority dated 9.11.2004 whereby the department has communicated to the counsel that the department had decided to grant pro-rata pensionary benefits to the applicant along with interest on gratuity and other pensionary benefits in accordance with the Central Civil Services (Pension) Rules 1972: Learned counsel for the applicant has

M. A. Khan

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submitted that this OA may be disposed of by giving directions to the respondents to grant the pro-rata pensionary benefits to the applicant in terms of prayer in sub-para 3 of para 8 of the OA and the family pension in terms of sub-para 4 of para 8.

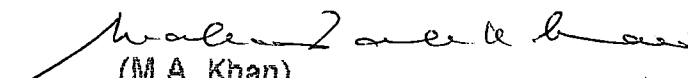
2. Learned counsel for the respondents has submitted that the department has decided to grant the pensionary benefits in accordance with the Central Civil Services (Pension) Rules 1972 and in case the applicant is eligible to the grant of family pension, the grant of the same would also be considered by the department. Learned counsel for the applicant submitted that if the husband is entitled to the grant of pro-rata pension, the widow would also become eligible for it. However, learned counsel for the respondents does not oppose the prayer made on behalf of the applicant. He further submitted that all these benefits are likely to be granted to the applicant within a period of four months.

3. Having regard to the facts of the case and submissions made at the Bar, I am of the view that this OA may be disposed off by giving following directions:

- i) Respondents shall grant to the applicant pro-rata pensionary benefits along with interest on gratuity and other pensionary benefits in accordance with the Central Civil Services (Pension) Rules 1972 in terms of their decision conveyed by the department vide their letter dated 9.11.2004.
- ii) Respondents shall also grant pensionary benefits to the applicant as widow of retired husband Shri Nanhu Ram in case, she is eligible for it in accordance with CCS(Pension) Rules 1972.

4. These directions will be complied with within four months from today as submitted.

5. OA stands disposed off in above terms.


(M.A. Khan)
Vice-Chairman (J)

/gkk/