

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 18TH DAY OF JULY, 2001

Original application No.831 of 2001

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.DAYAL, MEMBER(A)

Smt.Rukshana Parvedn,w/o late
Naseem Asgar, C/o Shri Naseem
Qurashi, House No.169, Mohalla
Maharajganj, district Gonda(UP)

... Applicant

(By Adv: Shri R.C.Pathak)

versus

1. Senior D.C.S, N.E.Railway
Izat Nagar Division, Bareilly
2. D.R.M, N.E. Railway
Izat Nagar, Bareilly.
3. The Chief Commercial Supdt.
N.E.Railway, gorakhpur
4. Union of India through
General manager, N.E.Railway
Gorakhpur.

... Respondents

(By Adv: shri K.P.Singh)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

By this OA the applicant has prayed that she may be granted pension which was due to her husband.

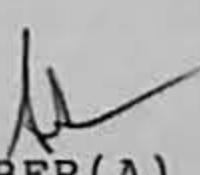
The facts in short, giving rise to this application are that husband of the applicant Naseem Asgar was serving Railways as Guard he was served with a memo of charges on 4.6.1987. On conclusion of the disciplinary proceedings the punishment of removal was awarded to the husband of the applicant on 18.2.1989. In appeal the order of removal was set aside and Shri Naseem Asgar was reduced to the lowest stage of pay at Rs.975/- in the time scale of Rs.975-1540 for 8 years.

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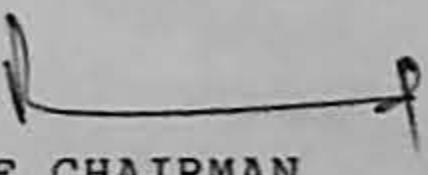
Shri Naseem Asgar however died on 27.1.1999 during service. It is not disputed that the benefits for the service rendered for 11 years 1 month and 11 days have been paid to the applicant. She is also getting family pension. However, she has challenged the orders of punishment and has claimed consequential benefits. In our opinion orders of punishment were passed during life time of husband of the applicant, he did not challenge during his life time, now the applicant cannot be permitted to challenge the orders after such long and inordinate delay. The claim is liable to be rejected.

The applicant has also prayed that the respondent may be directed to give railway passes to her. For this purpose applicant has filed a representation, a copy of which has been filed as (Annexure 8). The representation may be directed to be decided expeditiously.

The OA is accordingly disposed of with the direction to the General Manager(P) Gorakhpur to decide the representation of the applicant dated 16.6.2000 within three months by a reasoned order. The OA is rejected for other reliefs. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 18.7.2001

Uv/