

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 112 of 2001

Allahabad this the 04th day of December, 2001

Hon'ble Maj Gen K.K. Srivastava, Member (A)

Kaneez Fatma, W/o Jumman, resident of B-325/5,
Guru Teg Bahadur Nagar, Kareli Scheme, District
Allahabad.

Applicant

By Advocate Shri Mohd. Ayub.

Versus

1. Union of India through its General Manager
Central Railway, Bombay.
2. D.R.M. Central Railway (Divisional Railway
Manager), District Jabalpur.
3. Senior D.M.E.(P) (Divisional Mechanical
Engineer(P), Central Railway, Jabalpur.

Respondents


By Advocate Shri K.P. Singh

O R D E R (Oral)

By Hon'ble Maj.Gen K.K. Srivastava, Member (A)

In this O.A. filed under Section 19 of
the Administrative Tribunals Act, 1985, the applicant
has prayed that the respondents be directed to pay
the entire retiral benefits and family pension to
the applicant, and also direct the opposite party
to decide the representation and reminder dated
03.11.00 and 10.01.01 respectively pending before
the D.R.M., Jabalpur.

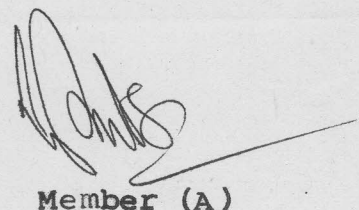
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2. The facts in brief are that the husband of the applicant Shri Jumman Nasir Hussain was working as IInd Fireman STA at Jabalpur. D.A.R. proceedings were initiated against him and he was removed from service vide order dated 21.02.82(annexure-I). Late Shri Jumman Nasir Hussain appealed against the punishment order dated 21.02.1982, but the appeal was rejected vide order dated 14.05.82(annexure-2). Thereafter a revision was filed on 24.01.83, which was also rejected by the D.R.M., Central Railway, Jabalpur vide order dated 26.02.83. Thus, the order of removal became final. Shri Jumman Nasir Hussain-the husband of the applicant died on 15.05.00. Since the late husband of the applicant was removed from service, the ~~applicant is~~ not entitled for any family pension.

3. The contention of learned counsel for the applicant that no payment was made to the late husband of the applicant or the applicant, is not supported by any reliable evidence. A simple statement that nothing was paid to the late husband of the applicant and he kept quiet for more than 18 years, is something not to be believed.

4. In view of the above observation, the O.A. lacks merit and is accordingly dismissed. No order as to costs.



Member (A)