

(3)  
OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD.

Original Application No. 1340 of 2005.

ALLAHABAD THIS THE 21<sup>ST</sup> DAY OF February 2006.

HON'BLE MR. K.B.S Rajan, MEMBER-J  
Hon'ble Mr. A.K. Singh, Member-A

1. Smt. Dulari Devi, w/o Sri Kanchan Singh,  
C/o Sri Rajendra Singh Village Chauganpur, Post  
Barautha, Harduaganj, Aligarh.
2. Sanjai Singh S/o Sri Kanchan Singh,  
C/o Rajendra Singh, Village Chauganpur, P.O  
Barautha, Harduaganj, Aligarh.

.....Applicants.

(By Advocate: Sri M.K. Sharma)

Versus

1. Union of India through General Manager, North  
Central Railway, Allahabad.
2. Divisional Railway Manager, North Central  
Railway, Allahabad.
3. Senior Divisional Electrical Engineer, North  
Central Railway, Kanpur.

.....Respondents.

O R D E R

By Hon'ble Mr. K.B.S Rajan, J.M

The applicant has approached this Tribunal  
seeking following relief(s):-

"(i) issue a writ, order or direction by  
directing the respondents to grant all the  
Departmental facilities viz. Family Pension,  
Funds, Group Insurance, DCRG and other dues  
to the petitioner.

(ii) issue a writ, order or direction by  
directing the respondent to consider the  
case of petitioner No.2 for compassionate  
appointment.

(iii) issue a writ, order or direction to  
respondents by quashing the order dated  
24.7.1999 passed by Disciplinary Authority.

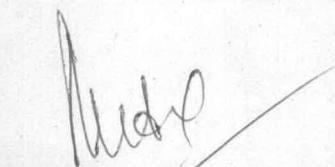
(iv) .....

2. Briefly stated, the applicants' husband earlier employed in the Railways as P.S.I. Fitter Grade-1 was missing from 1998 and could not be traced till now. According to the applicant, her husband was in service at the time when he disappeared. However, certain documents show that the services of the applicants' husband has been terminated as could be seen from orders dated 24.7.1999 and 13.9.2000. The applicant has preferred a representation dated 8.9.2005 praying for family pension in the wake of presumed death of her husband. This has not so far been disposed of.

3. The counsel for the applicant submits that the applicant is totally unaware of any departmental action taken against her husband and in case the department considers the case of the applicant and on the basis of the records, the applicant was in service at the time from when he was missing, she will become eligible from family pension. If the records reflect that her husband's service was terminated, she may not be given any family pension. In other words, the counsel for the applicant prays that the representation of the applicant may be directed to be considered expeditiously on the basis of available records and decision communicated to her. The prayer being most genuine and rational, a direction as under is appropriate.

4. The O.A. is disposed of with the direction to the respondents to treat the entire O.A. as a part of the representation dated 8.9.2005 and the department may communicate the decision after considering the case of the applicant within 4 months from the date of communication of this order. If, however, by such a decision, the applicant is still aggrieved, subject to limitation etc., she may move appropriate forum for her grievance.

No costs.

  
Member-A  
Member-J

Manish/-