

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
JABALPUR

Original Application No.200/00905/2017

Jabalpur, this Friday, the 6th day of August, 2021

HON'BLE SHRI RAMESH SINGH THAKUR, JUDICIAL MEMBER



Miss Phool Kumari, D/o Late Ram Naresh Verma
Age about 43 years, Occupation Unemployed
R/o House No. LIG 37 Subhash Nagar, Housing Board
Colony Maharajpur, Jabalpur (MP) 482001
Mobile No. 9039416573
(By Advocate – Shri Praveen Yadav)

-Applicant

V e r s u s

1. Union of India, through its Secretary
Ministry of Telecommunication & IT
Sachar Bhawan, New Delhi 110001

2. Bharat Sanchar Nigam Limited
Through its Chairman & Managing Director
Bharat Sanchar Bhawan, Harish Chand Mathur Lane
Janpad New Delhi 110001

3. Senior Accounts Officer (Pension)
O/o Controller of Communication Accounts
Ministry of Telecommunication & IT
First Floor Door-Sanchar Bhawan, Hoshangabad Road
Bhopal (MP)-462015

4. Chief General Manager, Telecom Factory
Wright Town, Jabalpur 482001 (MP)

- Respondents

(By Advocate – Shri S.P.Singh for respondent No.1 & 3
Ms. Neha Bhatia, learned counsel for respondents Nos. 2 & 4)

O R D E R

This Original Application has been filed against the
order dated 18.07.2017 (Annexure A-1) passed by
respondent No.3 whereby the respondents have declined to

grant the family pension to the applicant on the ground that applicant's name is not included in the service record of Late Ram Naresh Verma.

2. The main ground for challenging the impugned order is that as per Chapter (6)(iii) the policy provides family pension to widows. The above chapter of policy is reproduced here as under:



“(iii) Subject to second and third provisos, in the case of an unmarried or widow or divorced daughter until she gets married or remarried or until she starts earning her livelihood, whichever is earlier.”

3. So the applicant submits that the applicant is a legitimate claimant for family pension because she is an unmarried daughter of Late Ram Naresh Verma.

4. In the reply the respondents Nos. 1 & 3 submits that the name of the applicant has not been found recorded in the details of family s submitted by the deceased as per Annexure R/1.

5. In the reply of respondents Nos. 2 & 4 it has been submitted that the applicant have not filed any declaration/succession certificate by which it could be said that she is the successor of Late Ram Naresh Verma. The applicant approached the Court on the basis of rejection of representation which has been made after a lapse of 19

years from the death of Late Ram Naresh Verma. The applicant has neither disclosed the name of their siblings nor has she filed any declaration against them.

6. The applicant has filed the rejoinder to the reply of respondents Nos. 2 & 4. It has been submitted by the applicant in Para 4 that applicant is legal representative of Late Ram Naresh Verma. The applicant has filed an order dated 20.11.1998 (Annexure A-3) passed by appropriate Court wherein the court below issued succession certificate to get the amount deposited in banks as well as post office.

7. Now vide Misc. Application No. 200/415/2021 the applicant placed on record the order passed by the Competent Court qua the declaration whereby the applicant has been declared as the daughter of Late Ram Naresh Verma. The said documents have been taken on record as Annexure IA-1.

8. Heard the learned counsel for both the parties.

9. In view of the order passed by the Competent Court on 08.02.2021 in Civil suit No. 1127A/2018 (Annexure IA/1) I feel that the applicant has been declared as a daughter of Late Ram Naresh Verma and it will be in the interest of



justice if the respondents are directed for consideration of applicant for family pension.

10. Resultantly, the competent authority of the respondents is directed to decide the case of the applicant for family pension in view of Annexure IA/1 within a period of eight weeks from the date of receipt of a certified copy of this order.



11. Resultantly, this Original Application is allowed.

12. Applicant is directed to make available copy of this order to the competent authority of the respondents.

(Ramesh Singh Thakur)
Judicial Member

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