

CENTRAL ADMINISTRATIVE TRIBUNAL JAMMU BENCH, JAMMU



Hearing through video conferencing

O.A./61/1206/2021

This the 12th day of August, 2021

**HON'BLE MR. RAKESH SAGAR JAIN, MEMBER (J)
HON'BLE MR. ANAND MATHUR, MEMBER (A)**

Smt. Asha Devi, Age 58 yrs, Widow of Late Sh. Jeevan Singh, ASI, Retired, R/o Village Nagrota, A/PW No. 11, Shiv Nagar, Near District Police Line, Udhampur - 182101.

.....Applicant.

Advocate: Mr. Bhat Fayaz Ahmad

Versus

1. Union Territory of Jammu and Kashmir through Commissioner/Secretary to Govt, Home Department, Civil Sectt, Jammu, Pin- 180001.
2. Director General of Police, Jammu, Pin -180001.
3. Commandant SDRF 2nd Battalion, Jammu, Pin-180001.
4. Dy. Controller Civil Defence, Udhampur (J&K), Pin- 182101.
5. Accountant General Jammu, Pin- 181121.
6. District Treasury Officer, Udhampur, Pin – 182101.
7. Poonam Devi alleged Wd/o Jeevan Singh, R/o Ward No. 21, Industrial Estate near Hanuman Mandir, Nagrota Udhampur – 182101.

.....Respondents

Advocate:- Mr. Sudesh Magotra, DAG for respondent nos. 1 to 4 & 6
Mr. Raghu Mehta, Sr.C.G.S.C for respondent no. 5

O R D E R [O R A L]

Hon'ble Mr. Rakesh Sagar Jain, Member (J):

At the outset, learned counsel for the applicants submits that the applicants would be satisfied if direction is given to the respondents to treat this OA as a representation of the applicant and to decide the question as to which of the parties i.e. the applicant Smt. Asha Devi and Pooan Devi (respondent no. 7) is the legally entitled for the pension of deceased employee Late Jeevan Singh and pass a reasoned and speaking order within a stipulated period of time.

2. Learned counsel appearing on behalf of the respondents seeks time to file counter affidavit.

3. However, looking to the submissions made by the learned counsel for the applicant, there is no need to call for counter from the respondents and the OA can be disposed off at the admission stage itself. Accordingly, the O.A. is disposed of with a direction to the respondents to treat this OA as a representation of the applicant and decide the question as to which of the parties i.e. the applicant Smt. Asha Devi and Pooan Devi (respondent no. 7) is the legally entitled for the pension of deceased employee Late Jeevan Singh , and pass a reasoned and speaking order within a period of

two month from the date of receipt of a certified copy of this order. The order so passed shall be communicated to the applicant forthwith.

4. No order as to costs.

5. It is made clear that we have not expressed any opinion on merits of the case while disposing of the present OA.

(ANAND MATHUR)
MEMBER (A)

(RAKESH SAGAR JAIN)
MEMBER (J)

Anand...