

Central Administrative Tribunal Jammu Bench, Jammu



T.A. No. 3053/2021
(S.W.P. No.1615/2020)

Wednesday, this the 28th day of April, 2021

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)**

Pritpal Sharma s/o late Sh. Krishan Gopal Sharma
r/o 516, Talab Tillo, Patta Bohri, Jammu, aged 18 years

..Applicant
(Mr. Ajay Abrol, Advocate)

VERSUS

1. UT of J&K through
Commissioner/Secretary to Govt.
Health and Medical Education Department
J & K Government, Civil Secretariat, Jammu
2. Director, Health Services, Jammu
3. BMO Primary Health (Centre) F.W. Planwala
4. Accounts General (A&E), J & K Jammu

..Respondents
(Mr. Amit Gupta, Additional Advocate General for respondent
Nos. 1 to 3 and
Mr. Raghu Mehta, Senior CGSC for respondent No.4)

ORDER (ORAL)

Mr. Justice L. Narasimha Reddy:

Sri Krishan Gopal Sharma was an employee of Health Department. He retired from service in the year 2007 and he was sanctioned pension vide PPO No.130011 dated 20.06.2007. He died on 27.06.2010. Thereupon, his wife was sanctioned the



family pension in the year 2010. Unfortunately, she also died on 28.03.2017. The applicant states that he is the minor son of the deceased employee and though he made a representation for sanction of family pension till he attained the age of majority, the respondents did not take any steps. Therefore, he filed SWP No.1615/2020 before the Hon'ble High Court of Jammu & Kashmir with a prayer to direct the respondents to sanction the family pension to him.

2. The SWP has since been transferred to the Tribunal in view of the reorganization of the State of Jammu & Kashmir and renumbered as TA No.3053/2021.

3. Today, there is no representation for the applicant and we heard Mr. Amit Gupta, learned Additional Advocate General for respondent Nos. 1 to 3 and Mr. Raghu Mehta, learned senior CGSC for respondent No.4; and perused the record.

4. There is no complaint as regards the sanction of pension to the deceased employee, i.e., late Sri Krishan Gopal Sharma or for that matter, the sanction of family pension to his wife. The applicant claims that his mother also died in 2017 and being a minor at that point of time, he became eligible for being extended the benefit of family pension. The question as to whether the claim of the applicant can be accepted, needs to be examined by the respondents. The matter cannot be kept pending indefinitely,

particularly in view of the fact that the facility was available only till the age of majority of the dependents i.e., the applicant.



5. We, therefore, dispose of the T.A., directing the respondents to pass orders on the claim of the applicant for sanction of family pension on account of the death of his mother in the year 2017, within six weeks from the date of receipt of a copy of this order. We make it clear that we did not express any view on the entitlement or otherwise of the applicant and the matter needs to be decided on its own merits. There shall be no order as to costs.

(Aradhana Johri)
Member (A)

(Justice L. Narasimha Reddy)
Chairman

April 28, 2021
/sunil/maya/dsn/