

**CENTRAL ADMINISTRATIVE TRIBUNAL
JAMMU BENCH, JAMMU**

Hearing through video conferencing

O.A. No. 61/775/2021

This the 10th day of May, 2021

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

Ms. Varsha Choudhary, Age 21 years, D/o Sh. Bishamba Lal, R/o H. No. 693,
Ashok Nagr, Jammu-180003.

.....Applicant

(Advocate:- Mr. Anil Mahajan)

Versus

1. Union of India, through Secretary to Govt. of India, Ministry of Defence, New Delhi-110001.
2. Engineer-in-Chief, Army HQ DHQ, New Delhi-110001.
3. Chief Engineer, Northern Command, C/o 56 Apo.
4. Commander, HQ 135 Works Engineer, C/o 56 Apo.
5. Controller of Defence Accounts, Northern Command, Satwari, Jammu Cantt.
6. Controller of Defence Accounts, (P) Allahabad.

.....Respondents

(Advocate: Mr. Raghu Mehta, learned Sr. C.G.S.C.)

**ORDER
ORAL**

(Delivered by Hon'ble Mr. Anand Mathur, Member-A)

The applicant Varsha Choudhary had filed SWP No. 2391/2000 before the Hon'ble High Court seeking direction to the respondents to pay and release the terminal benefits and pension on the demise of her mother Smt Ratno Dev who was working with Respondent No. 4. The Hon'ble High Court vide order dated 07.03.2002 directed the respondents to keep the retiral benefits in the form of FDR for a period of five years. Subsequently, the Hon'ble High Court vide order dated 26.05.2004 disposed of the Writ Petition and order dated 07.03.2002 was made absolute. It was further directed that the direction would also apply to the family pension. On attaining majority, the applicant approached Respondent no. 4 for release of the amount and when the respondents did not agree, a notice dated 24.03.2021 was served along with copies of documents including



Aadhar Card, Bank Statements, Succession Certificate, Orders of Hon'ble High Court etc, however, no action has been taken on the same. Hence, the present O.A.

2. We have heard Mr. Anil Mahajan, learned counsel for the applicant and Mr. Raghu Mehta, Sr. C.G.S.C. for the respondents and perused the records.

3. The applicant by way of this O.A. is seeking a direction to the respondents to release the retiral benefits and family pension of her deceased mother. We are of the view that the O.A. can be disposed of by directing the respondents to consider the prayer of the applicant for releasing the retiral benefits and family pension in her favour.

4. Accordingly, we dispose of the O.A. with direction to the respondents to consider the prayer of the applicant for release of retiral benefits and family pension of her deceased mother. If the applicant is eligible for grant of retiral benefits and family pension, the same be paid to her as per rules and regulations and if not, the respondents need to pass a reasoned a speaking order within a month from the date of receipt of certified copy of this order.

5. It is made clear that we have not entered into the merits of the case.

6. There shall be no orders as to cost.

(ANAND MATHUR)
MEMBER (A)

Arun

(RAKESH SAGAR JAIN)
MEMBER (J)

