

CENTRAL ADMINISTRATIVE TRIBUNAL  
KOLKATA BENCH, KOLKATA

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O.A/350/304/2021

Date of Order: 24.03.2021

Coram: Hon'ble Dr. (Ms.) Nandita Chatterjee, Administrative Member

Anita Roy, daughter of Late Dinendra Kumar Roy,  
aged about 66 years, residing at 20 Panditika  
Terrace, Kolkata - 29.

--Applicant

-Vs-

1. Union of India, service through the Secretary, Ministry of Defence, South Block, New Delhi - 110001.
2. The Principal Controller of Defense Accounts, Allahabad, Draupadi Nagar, Allahabad, UP. Pin no. 211014.
3. Garrison Engineer (W), Military Engineer Services, Bareilly Cantonment 243001.

--Respondents.

For The Applicant(s): Mr. A. Chakraborty, counsel

For The Respondent(s): None

O R D E R (O R A L)

Per: Dr. (Ms.) Nandita Chatterjee, Member (A):

The applicant has approached this Tribunal under Section 19 of the Administrative Tribunals Act, 1985, praying for the following relief:-

"a) An order do issue directing the respondents to grant family pension in favour of the applicant with effect from 01.05.2012 and also to grant arrears with interest as admissible under the Rules."

2. As no complicated questions of law are involved, this matter is taken up for disposal at the admission stage under Appendix VII of Rule 154 of the Central Administrative Tribunal Rules of Practice, 1993.

3. Heard Ld. Counsel for the applicant and examined annexed documents.

Affidavit of service is taken on record.

None appears to represent the respondents despite service. Hence, Rule 16(1) of CAT (Procedure) Rules, 1987 is invoked.

4. Ld. counsel for the applicant would refer to an interoffice communication on the subject of grant of family pension to the applicant, dated 21.04.2020 (Annexure A-8 to the O.A), whereby the authorities have stated that "necessary action regarding family pension PPO will be taken only after examination and verification of claim received from HOO".

It therefore transpires that, the respondents have not rejected the claim of the applicant; rather, they have stated that the claim is under process of examination.

Their reply at Annexure A-8 to the O.A, however, was issued as early as on 21.04.2020 but no outcome of such examination has been brought on record even after expiry of almost one year.

5. Accordingly, without entering into the merits of the matter, the O.A is disposed of by directing competent respondent authority to arrive at a firm conclusion on the prayer of the applicant, as referred to at Annexure A-8 to the O.A, in accordance with law, within a period of 16 weeks from the date of receipt of a copy of this order. The said authority should convey his decision in the form of a reasoned and speaking order to the applicant.

In case the applicant is found entitled to family pension, consequent benefits may be sanctioned and disbursed to the applicant within 10 weeks thereafter.

6. With these directions, the O.A. is disposed of. There will be no orders on costs.

(Nandita Chatterjee)  
Member (A)

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