

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

ORIGINAL APPLICATION No.2019/2021

Date of Decision: 19th March, 2021

CORAM: RAVINDER KAUR, MEMBER (J)

Smt. Sandhya Wd/o Shivaji Bhosale
Aged 58 years, occu:Household
R/o Appaswami Colony, Akot, Tq.
Akot, Distt.Akola-444 101
M-09503470052

... **Applicant**

(By Advocate Shri N.B. Jawade)

VERSUS

1. The Union of India through
The General Manager,
South Central Railway,
99, Rail House,
Lancer House,
Secunderabad - 500 071 (A.P.)
Email:gm@scr.railnet.gov.in
2. Divisional Railway Manager,
South Central Railway,
Bungalow No.700, DRM-Office
Compound, Sanglavi Naka,
Near Airport, Nanded - 431 601 (M.S.)
Email:drm@ned.railnet.gov.in
3. Divisional Railway Manager
(Personnel), South Central Railway,
Bungalow No.700, DRM-Office
Compound, Sanglavi Naka,
Near Airport, Nanded - 431 601 (M.S.)
Email:drm@ned.railnet.gov.in ... **Respondents**

(By Advocate Shri Alok Upasani)

Proceeding conducted through videoconferencing with
consent of counsels for the parties

ORDER (ORAL)Present:

Advocate Shri N.B. Jawade for the applicant.

Advocate Shri Alok Upasani for the respondents.

2. Heard Shri Jawade on admission.

3. Vide present OA, the applicant seeks quashing and setting aside the impugned order dated 30.09.2020 rejecting the claim of applicant for widow pension and widow complementary pass.

4. Shri Jawade has submitted that the husband of the applicant was appointed with respondent No.1 on 02.07.1979 as Point SA Man and was entitled for all pensionary benefits under the Pension Railway Rules. He retired on 21.05.2017. While filling up the pension papers, inadvertently he did not mention the name of the applicant as his dependent/legal heir. He made representation dated 18.09.2017 to respondent No.3 in this regard with a request to add the name of the applicant as his dependent/legal heir in the pension papers. The said representation was received in the office of respondent No.3 on 19.09.2017. Before this representation could be decided, the husband of applicant died on 28.06.2018. It is stated that till date, the aforesaid representation has not been decided by the respondents.

5. The present applicant made representation dated 15.07.2019 with the respondents for grant of widow pension and widow complementary pass being legal heir of her husband which was rejected vide order dated 30.09.2020 (Annex A-1) referred above. Thereafter, she issued legal notice dated 15.10.2020 to the respondents but again she received reply dated 02.11.2020 from the respondents that the deceased employee while filling up the pension papers had declared in form No.6 in the booklet form 'No family members'.

6. Shri Jawade has submitted that the respondents have not taken into consideration the representation of the husband of the applicant which he had made to the respondents on 18.09.2017 whereby he had specifically mentioned that due to difference of opinion with his wife, he was in mental depression and had not fulfilled the formality of mentioning the name of his family members/dependents in the pension papers. Vide this representation, he requested the respondents to allow him to fulfill all these formalities.

7. In the circumstances, it would be appropriate to issue necessary directions to the respondents to dispose of the representation dated 18.09.2017 of the husband of the applicant (now deceased) in a time bound manner.

8. The respondents are thus directed to consider and dispose of the representation referred to above as per applicable law/rules and regulations vide reasoned and speaking order within a period of twelve weeks from the date of receipt of certified copy of this order and thereafter, within one week, to communicate the same to the applicant.

9. With these directions, the Original Application stands disposed of at the admission stage itself. No order as to costs.

(Ravinder Kaur) '
Member (J)

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JD
25/03/21