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CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

O.A.421 of 1988

Smt. Chandra Kant Tripathi

Applicant

Vs.

Secretary Rly. Board, New Delhi

Respondents.

Hon'ble Ajay Johri, A.M.

Hon'ble G.S.Sharma, J.M.

This application made u/s 19 of the Administrative Tribunals Act is by a widow whose husband was working in the Northern Railway at Allahabad and he retired from service on 30.5.62 and subsequently died. The widow of the ~~ex Gratia~~ ^{employee} has by this application approached this Tribunal for issue of a direction to the respondents to give her pension and complementary passes and also the arrears of the dearness reliefs etc. from 22.9.77 and interest on the delayed payment.

2. The applicant's case is that she had filled ^{3/} the required forms and sent them to the respondents on 8.8.87 claiming family pension under the Railway circular F(E)III 85 PN 1/19 dated 26.7.85. When she did not get any reply she made representation to the Railway Board on 29.9.87 requesting for the grant of the family pension. ^{3/} She did not get any reply to this representation ~~as well~~ ^{3/} thereafter she filed this application on 30.3.88 claiming the above reliefs.

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3. We have heard Sri Bashist Tiwari, learned counsel for the applicant. Sri Tiwari's contention was that the applicants husband according to his information was Providant Fund optee and therefore he should normally be covered by the Railway Boards' order ^{3/8 issued} under their letter PC-IV/87/I-^{3/8}/1 dated 30.6.88 and not ^{3/8 order issued} under the 1985 letter. The learned counsel contended that the Railway Boards' direction of June 1988 grant exgratia payment to families of deceased's provident fund retirees. He further contended that the forms that the applicant had submitted on 8.8.87 were similar to the forms required to be submitted under the June 1988 letter his plea was therefore that the applicant should be sanctioned the exgratia payment as due under the 1988 letter of the Railway Board.

4. On behalf of the respondents who were given a notice to reply to this application for consideration of the same for admission, Sri A.K. Shukla the learned counsel for the respondents made ^{3/8 the} submission ^{that} ^{3/8} as a matter of fact the letter of 8.8.87 was not received by the respondents and they have replied to the applicant on 6.9.88 that she should submit the requisite forms etc. in order to enable the respondents to examine her case and sanction the exgratia payment/pension as may be

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due to her.

5. We have seen the circular dated 30.6.88 under which the learned counsel for the applicant is ~~now~~ seeking the relief. The government has decided that the widows and dependant children of the deceased C.P.F. beneficiary ~~now~~ who had retired from service prior to 1.1.1986 shall be granted exgratia payment of Rs.150/- per month with effect from 1.1.86 or from the date following/date of death of the employee whichever is later ^{the} ~~along with~~ certain ^{as} dearness reliefs ~~is~~ ^{also} admissible and the rates have been ^{noted} ~~noted~~ in this circular.

6. The applicant in this is a widow of an employee who died in April, 1971 and ~~his~~ ^{is under} financial difficulties. In view of the contentions raised by the learned counsel for the applicant while arguing the case for admission, we feel that this application ~~can~~ ^{be} disposed of by issue of the following directions.

(a) The applicant will submit a revised application for seeking a grant of exgratia payment within a month from today. The respondents will examine her case and take necessary action to issue orders on her application within a month thereafter.

7. The application is finally disposed of
accordingly at admission stage. Parties will bear
their own costs.

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Member (J)

3-2-89
Member (A)