

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH

Original Application No. 553 of 1994

Prakash Singh ::::::: Applicant

Versus

Union of India and Others ::::::: Respondents

Hon'ble Mr. Maharaj Din, Member (J)

The applicant has moved the application before this Tribunal seeking the relief of direction to the respondents to pay interest on the unpaid amount of the family pension.

2. The applicant's father Shri Labha Ram retired as a Mate, Engg. Department of Northern Railway, Allahabad Division. After his retirement on 21.11.1957 he was getting the pension. Labha Ram died on 17.11.1988 and after his death his widow Smt. Dhantee Devi was getting the family pension (Annexure A-4). It is stated that pension amount of Rs.24,614/- remained under credit balance. The applicant who is the son of the deceased employee as well as of Smt. Dhantee Devi is entitle to <sup>an</sup> getting the amount of family pension after death of his mother. The applicant also obtain the succession certificate after the death of his mother from the Court of Senior Sub Judge, Jullundhur (Annexure A-2). While issuing the succession certificate learned Senior Sub Judge, Jullundhur empowered

the applicant to collect the debts and to receive the interest upto date. Learned counsel for the applicant has been specifically asked to show the rules according to which the applicant is entitle to get interest on unpaid amount of family pension but, he failed to show the rule.

3. The applicant after having obtained the succession certificate submitted the representation dated 03.7.93(Annexure A-5) to the respondents asking for the payment of interest on unpaid amount of family pension. The said representation has not been replied and is still pending for disposal. The application of the applicant is however disposed of at admission stage with the direction that the respondents shall dispose of the representation dated 03.7.1993(Annexure A-5) of the applicant and take decision about the payment of interest as per extant rules within a period of three months from the date of communication of this order.

Member (J)

Allahabad, Dated 12th April, 1994

/M.M./