

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

Original Application No. 587 of 2003

Friday, this the 2nd day of April, 2004

Hon'ble Mr. A.K. Bhatnagar, J.M.

Smt. Chhaddi Devi alias Jagdeiya ,
wife of Late Shree Ram,
Resident of Village- Shahjadepur
Majare Ramwan, Post- Ramwan,
District - Fatehpur.

....Applicant.

(By Advocate : Shri S. Ram)

Versus

1. Union of India,
through the General Manager,
North Central Railway,
Allahabad.
2. The Divisional Railway Manager,
North Central Railway, Allahabad.

....Respondents.

(By Advocate : Shri G.P. Agarwal)

O R D E R

By Hon'ble Mr. A.K. Bhatnagar, J.M. :

In this O.A. filed under Section 19 of A.T. Act, 1985, the applicant ^{has} prayed for issuing a direction to respondents to grant family pension as well as appoint her on compassionate ground. She has further sought a direction to pay all the settlement dues i.e. D.C.R.G., Provident Fund, Insurance etc. alongwith 18% interest.

Ab

....2.

2. The facts, in brief, as per the applicant are that the husband of the applicant Late Shree Ram was appointed as casual labour on 06.12.1982. He was declared fit in 'B-1' medical category and was allowed C.P.C. scale on 30.08.1994. He was posted as Gangman in grade of Rs.200-250 and his pay was revised in grade of Rs.775-1025 since 06.06.1987. He remained posted at various places. He went on duty at Manda Road on 28.02.19892 and since then he is reported to be missing. A report was lodged in Police Station, Manda Road on 20.04.1992. The applicant approached the respondents for grant of family pension but no action was taken so she represented to the department on 29.07.2002(annexure A-6) followed by reminder dated 20.09.2002 regarding pensionary benefits which the applicant is entitled for.

3. Learned counsel for the applicant submitted that a direction be issued to the respondents for deciding the representation of the applicant.

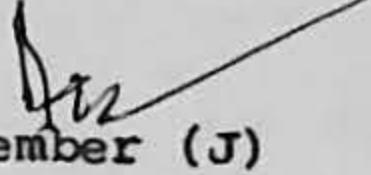
4. Learned counsel for the respondents has failed the counter and submitted that no intimation about missing of husband of the applicant was sent to the department by the applicant. Thereafter a show cause notice was issued to the applicant(C.A.-1) but the applicant did not turn up and so he was removed from service. Learned counsel for the applicant does not want to file rejoinder and submits that he will be satisfied if a direction is issued to respondents to decide the representation of applicant.

5. In view of the submissions made by the counsel for the applicant, this case can be disposed of finally

:: 3 ::

by issuing a direction to respondent no.2 i.e. competent Authority/D.R.M., North Central Railway, Allahabad to consider and decide the representation of the applicant dated 20.09.2002(annexure A-7) within a specified time.

6. Accordingly, the O.A. is finally disposed of with a direction to respondent no.2 i.e. D.R.M., North Central Railway, Allahabad to decide the representation of the applicant by a reasoned and speaking order within a period of four months from the date of communication of this order. To avoid delay, applicant is given liberty to file a fresh representation alongwith copy of this order. No order as to costs.


Member (J)

/RKM/