

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated: This the 20th day of **MAY** 2005.

Original Application No. 996 of 2003.

Hon'ble Mr. K.B.S. Rajan, Member (J)

Hasina Begam, W/o Late Pan Khan
R/o Vill and Post Magam Manpur,
Tehsil and District Mainpuri.

... Applicant

By Adv: Sri A.K. Saxena (absent)

V E R S U S

1. Union of India through General Manager,
North Central Railway,
ALLAHABAD.
2. Divisional Railway Manager,
North Central Railway,
ALLAHABAD.

...Respondents

By Adv: Sri G.P. Agarwal.

ORDER

In view of the absence of the applicant, at the time of hearing, provisions of Rule 15 of the C.A.T. (Procedure) Rules 1987 are invoked and the case decided on merits.

2. This OA has been filed challenging order dated 10.7.2002 by the respondents who had rejected the representation preferred by the applicant.

3. The facts as stated in the O.A. in brief are as under:-



a. Shri Pan Khan, the husband of the applicant was appointed as PWS in Firozabad District in the November 1955 and he retired in 1989. On 6.9.1998 the said individual died.

b. After obtaining a succession certificate the applicant sent her representation to the respondents for family pension. As no decision was taken the applicant moved an O.A. which was stated to have been disposed of on 26.4.2002 with the direction to the respondents to decide the representation.

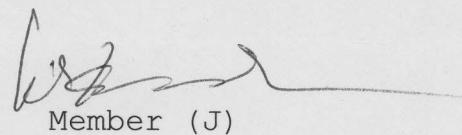
c. The respondents had vide impugned order dated 10.7.2002 rejected the claim of the applicant as the same was not found genuine in view of the facts declared by Sri Pan Khan in the statement dated 30.8.1988 showing details of the family for the purpose of family pension scheme of 1964. As per the said statement it was declared that divorce (Talaq) had taken place with his wife and as such there is no relation ship between them.

4. The applicant in the O.A. had stated that she had obtained the succession certificate from the competent Court and as such her case is genuine. However, no such succession certificate has been found in the records. The copy of the Kutumbh Register filed vide annexure No. 2 does not appear to be correct as the date of birth of Pan Khan has been noted as 20.09.1982 while as per the applicant

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her husband was an employee in the Railways since 1955. This is impossible. The other documents submitted by the applicant vide order dated 6.2.2001 of the Civil Judge (JD) Mainpuri relates to realization of some dues from State Bank of India and as such, the same is of least assistance to the applicant in the instant O.A.

5. In view of the above the applicant having not made out any case the OA is dismissed with no order as to costs.



Member (J)

/pc/