

1. Smt.Vairam Bardhan,
widow of late Shri Bardhan Jaganath,
(late Shri Bardhan Jaganath was working
as Male Belder under PWI(C),
Ahmedabad at Jakhwasa under XEN(C) I
Ahmedabad.

Hindu adult, Aged about 40 years
Occupation : Household work,
Address : Bhimwas No.1,
Behind old Railway Station,
Near Railway Quarters,
JAMNAGAR.

....APPLICANT

Advocate Mr.B.B.Gogia.

versus

1. Union of India
owning & Representing,
Western Railway,
Through,
General Manager,
Western Railway,
Churchgate,
BOMBAY - 400 020
2. Chief Engineer (Construction) I,
Western Railway,
Railwaypura-P.O.,
AHMEDABAD-380 002
3. Executive Engineer (Construction) I,
Western Railway,
Railwaypura, P.O.,
AHMEDABAD-380 002
4. Divisional Railway Manager,
Western Railway,
Rajkot Division,
Khoti Compound,
RAJKOT-360 001

....RESPONDENTS

ORAL JUDGEMENT

O.A./374/93

Date : 27/7/1993

Per : Hon'ble Shri R.C.Bhatt,
Member (J).

Mr.B.B.Gogia, learned advocate for

the applicant.

2. This Original Application under section 19 of the Administrative Tribunals Act, is filed by ~~the~~ one Smt. Variam Bardhan, widow of late Shri Bardhan Jagnath seeking the relief of a declaration that she is entitled to the payment of family pension and the respondents be directed to make the payment of family pension forthwith from the date it was due. It is the case of the applicant that late Bardhan Jagnath was working as a Make Belder at Jakhwada under PWI (construction) Ahmedabad under the Administrative Control of Respondent no.3, Executive Engineer (construction) I, Western Railway, Ahmedabad. It is alleged by the applicant that the deceased was given temporary status with effect from 1st January, 1984 and that finally he was transferred to Jakhwada under PWI (C), Ahmedabad vide order dated 18th November, 1985, Annexure A/1. that late Shri Bardhan expired on 28th January, 1991. It is the case of the applicant that she made a representation dated 27th January, 1993 addressed to the respondents vide Annexure A/2.. requesting them to grant her family pension etc..but there is no reply to it. It is alleged that she is entitled to family pension and similar matter has been decided by this Tribunal in the case of Smt. Minalkodi Srinivasan in O.A./39/89 decided on 1st December, 1992 and subsequently also followed in case of Miss Ila Dave and others in O.A.44/89 decided on 5th February, 1992. We, therefore, admit this matter and dispose it with suitable direction at admission stage as under.

3. The respondents, Divisional Railway Manager, Western Railway, Rajkot Division, Rajkot, or Chief Engineer (C), Western Railway, Ahmedabad, competent

to decide the question of family pension to dispose of and decide the representation of the applicant dated 27th April, 1993, Annexure A/2.. in the light of the judgement in O.A./39/89 and O.A./44/89 decided by this Tribunal referred to above within 3 months from the date of receipt of this order. and to intimate the result of the said representation to the applicant. In case, the applicant feels aggrieved by decision of the respondents mentioned above, he is at liberty to approach this Tribunal according to rules. The application is disposed of.

M.R. Kolhatkar

(M.R.KOLHATKAR)
Admn. Member

R.C. Bhatt

(R.C.BHATT)
Judicial Member.

SSH

CENTRAL ADMINISTRATIVE TRIBUNAL

AHMEDABAD BENCH

AHMEDABAD.

Application No. DA/374/93 of 199

Transrer Application No. _____ Old writ Pet. No.

C E R T I F I C A T E

Certified that no further action is required to be taken and the case is ift for consignment to the Record Room (Decided).

Dated : 10/08/93.

Countersigned :

Shafiq 17/8/93
Section Officer/Court Officer

RBC
Sign. of the Dealing Assistant.

