

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Order dated 17.11.2000

In this Application the petitioner has prayed for direction to Respondents to grant her family pension from the date of death of her husband on 8.09.1965. She has also prayed that her representation dated 15.3.1999, ~~vide Annexure 1~~, which according to applicant is still pending should be disposed of. Respondents have filed their counter opposing the prayer of the applicant and applicant has filed rejoinder to this.

For the purpose of considering this Application it is not necessary to go into too many facts of this case. In course of hearing learned counsel for the petitioner Dr.V.Prithiviraj conceded that the petitioner is not entitled to family pension and that she is in receipt of ex gratia payable to the widows of ex C.P.F. subscribers w.e.f. 1.1.1986. It is submitted by Dr.Prithiviraj that bonus and last wages have not been paid to the applicant. Railways have pointed out that ~~vide Annexure-3~~ dated 25.9.1998 the petitioner was informed that bonus for the Railway servants was introduced w.e.f. 1.4.1979 and the applicant's husband died in 1965, which is much before the introduction of bonus and therefore, her husband was not entitled to bonus. They have also stated that it is not possible for them to verify the records after passage of more than 30 years if last wages have been paid or not. As regards representation dated 15.3.1999 respondents have submitted in their counter that no such representation has been filed by the applicant and the Respondents have not received any such representation. It is submitted by Dr.Prithiviraj that as this is a matter involving reference to very old records the applicant would be satisfied if a direction is issued to Respondents to consider representation to be filed afresh by her and the same should be disposed of. In view of the above, we dispose of this Original Application with a direction to Respondents that in case the applicant files a representation claiming certain other dues other than the family pension, bonus and last wages,

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then such representation should be disposed of within a period of 150 (One Hundred Fifty) days from the date of receipt of such representation and thereafter ~~sent~~ ^{sent} intimation with regard to disposal of the representation to the applicant.

There shall be no order as to costs.

Shri S. Ray, the learned Addl. Standing Counsel for the Respondents is present & heard.

VICE-CHAIRMAN

MEMBER (JUDICIAL)