

5

O.A. No. 232 of 2007

Order dated: 02.05.2008

CORAM:

Hon'ble Shri C.R.Mohapatra, Member (A)

Mr. N.R.Routray, Ld. Counsel appears for the applicant and he has already received a copy of the counter.

Mr. S.K.Ojha, Ld. Standing Counsel for the Railways appears and explains that the applicant is entitled to family pension in terms of Rule 75(6)(iii) of the Railway Services (Pension) Rules 1993.

Heard the Ld. Counsel for both the parties and perused the materials on record.

The claim of the applicant, in this O.A., is that she should get family pension throughout life on the ground of being disabled. It is seen that a medical board, which was constituted to examine the medical condition of the applicant, did not find that she was mentally incapable or disabled so as not to be able to earn her livelihood. In these circumstances, she is eligible to get family pension only for a period of <sup>about</sup> three years, i.e. from 18.6.2004 to till the date of attaining 25 years, i.e. 4.4.2007 and not throughout life.

In view of the above position, the O.A. is disposed of with the direction that the family pension should be settled and paid in favour of the applicant in terms of Rule 75(6)(iii) of the Railway Service (Pension) Rules, 1993. The Ld. Counsel for the applicant undertakes that the applicant shall complete all the formalities within a period of one month. The Respondent No.3 shall release all the

6

amounts payable to the applicant within two months from the date of the receipt of the documents etc. from the applicant. No order as to costs.

*Champu*  
MEMBER (A)

