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B.R.Ratha-Vrs-UOI&Ors

HEARING Sl.No.1 (S.B)

OA No.813/2011

ORDER - dated 24th June, 2014.

CORAM

THE HON'BLE MR.A.K.PATNAIK, MEMBER(JUDL.)

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The case of the applicant in nut shell is that her father Late Laxmidhar Rath while working in the Railway as Chief Parcel Clerk under Station Manager, ECoRailway, Cuttack did on 18.11.1988. After his death family pension was sanctioned in favour of her mother who also expired on 17.04.2007. She being the unmarried and unemployed dependent daughter, after expiry of her father and mother as per the provision made in BE No. 116/2007 she should have been sanctioned the family pension w.e.f. 17.4.2007. By enclosing copies of relevant papers she has prayed for sanctioned of family pension in her favour but the Respondents rejected her claim. Respondents have filed their counter opposed the prayer of the applicant. Having heard learned counsel for both sides perused the materials placed on record. I find that the reason of non sanction of the family pension in favour of the applicant after the death of her mother due to discrepancy in her name inasmuch as 'Ms. Binarani Rath' & "Ms.Binapani Rath". This Tribunal is not competent to decide on the above aspects for which the applicant has to obtain necessary declaration from the appropriate court of law that Ms.Binarani Rath and Ms.Binapani Rath is the daughter of Late Laxmidhar Rath and



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Smt. Saudamini Rath and is one and the same and produce the same before the competent authority of the Railway who upon receipt of the same shall do well to release the dues to which the applicant is entitled to under the Rules without any further delay.

2. With the aforesaid observation and direction this OA stands disposed of. No costs.


(A.K. Patnaik)
Member (Judicial)