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CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH: CUTTACK

Original Application No. 260/00734 of 2015
Cuttack, this the 30th day of October, 2015

CORAM
HON'BLE SHRI A.K. PATNAIK, MEMBER (JUDL.)

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Bangaru Jejamma,
Unmarried and Handicapped daughter of Late Krishnamma,
aged about 58 years,
physically challenged person with deaf and dumb.
Resident of Golla Kanchili Village, Kanchi Post Office,
Srikakulam District, Andhra Pradesh, Pin Code No. 532290.

At present residing at C/o Yelamanchi Kristna Rao,
Gandhi Nagar II, At/Po- Sompeta, Srikakulam District,
Andhra Pradesh, Pin Code No. 532284.

Through :
Yelamanchi Kristna Rao, S/o late Laxminarayana,
Gandhi Nagar II, At/Po- Sompeta, Srikakulam District,
Andhra Pradesh, Pin Code No. 532284.

...Applicant

(Advocates: M/s. B.P.Yadav, T.K. Choudhury)

VERSUS

Union of India Represented through

1. General Manager,
East Coast Railway,
Chandrasekharapur,
Bhubaneswar, Orissa.
2. Sr. Divisional Finance Manager,
For F.A. & C.A.O.(Pension),
East Coast Railway, Khurda Road Division,
PO- Jatni, Dist- Khurda, Orissa.
3. Section Engineer, (C&W) Palasa,
East Coast Railway, At/PO- Palasa,
Dist- Srikakulam, Andhra Pradesh.

... Respondents

(Advocate: Mr. T.Rath)

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ORDER (ORAL)

A.K.PATNAIK, MEMBER (JUDL.):

Heard Mr. T.K.Choudhury, Ld. Counsel for the Applicant, and Mr. T.Rath, Ld. Standing Counsel appearing for the Respondent-Railways, on whom a copy of this O.A. has already been served, and perused the materials placed on record.

2. This O.A. has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 praying for the following reliefs:

“(i) Directing the respondents to issue pension payment order to the pension payment officer to pay the family pension of the deceased Railway Servant late Krishnamma S/o late Kamayya to his unmarried and physically handicapped daughter i.e. the applicant Bangaru Jeamma, with effect from the date of death of her mother B. Mahalaxmi.

(ii) And to pass such orders.....”

3. The facts of the case, in brief, are that the applicant's father after his retirement from the Respondents-department had been getting pension till his death on 22.07.2002. After the death of her father, her mother was in receipt of the family pension, who also died on 15.01.2005. The grievance of the applicant is that she is 58 years old unmarried, physically challenged deaf and dumb lady and after the death of her parents, though she is entitled to family pension under Rule 75, Sub Rule 6 Clause (iii) of the Railway Servants Pension Rules, 1993, the same has not been granted to her even after several representation to the Railway-authorities. Mr. Choudhury, Ld. Counsel for the applicant, submitted that the last representation of the applicant dated 11.06.2014 is still spending consideration before Respondent No. 1.


4. In view of the aforesaid fact that the representation of the applicant dated 11.06.2014 is stated to be pending, without going into the merit of the



matter, I dispose of this O.A. with direction to the Respondent No.1 to dispose of the said representation, if the same is still pending, and pass a reasoned and speaking order within a period of three months. Though, we have not gone into the merit of the matter, all the points raised by the applicant in her representation are kept open for the Respondent No.1 to consider the same as per rules and regulations. If after such consideration, the applicant is found to be entitled to the relief claimed by her then expeditious steps be taken within a further period of six months from the date of such consideration to extend the said benefit to her.

5. With the aforesaid observation and direction, this O.A. stands disposed of. No costs.

6. On the prayer made by Mr. Choudhury, Learned Counsel appearing for the applicant, copy of this order, along with paper book, be sent to Respondent Nos. 1, 2 and 3 by Speed Post for which he undertakes to file the postal requisites by 06.11.2015.


(A.K.PATNAIK)
MEMBER(Judl.)

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