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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

O.A NO.398 OF 2013
Cuttack, the 1st OF JULY, 2013

CORAM
HON'BLE MR. R.C. MISRA, MEMBER (A)
.....

Nasima Khatun,
aged about 31 years,
D/o-Late Saidu Khan,
At-Dhanipur, Po-Tarikund,
Dist-Jagatsingpur, Odisha.

...Applicant

(Advocate(s) for the Applicant Mr. R.N. Parija.)


VERSUS

Union of India

1. Represented through
Comptroller & Auditor General of India,
Pocket-9, Deen Dayal Upadhaya Marg,
New Delhi-110124.
2. Principal Accountant General (A & E),
Indian Audit and Accounts Department,
Treasury Building, 2, Govt. Place West,
Kolkata-700 001.
3. Accountant General (A & E),
At/Po/P.S-Bhubaneswar,
Dist- Khurda, Odisha.
4. Treasury Officer,
District Treasury Jagatsingpur,
At/Po/P.S/Dist-Jagatsingpur, Odisha.

... Respondents

(Advocate- Mr.U.B. Mohapatra)



ORDER(Oral)MR. R.C. MISRA, MEMBER (A):

Heard Mr. R.N. Parija, Ld. Counsel for the applicant and Mr., Ld. U.B. Mohapatra, Ld. Sr. Central Government Standing Counsel for the Respondents.

2. The present applicant claims to be the adopted daughter of the widow of the deceased Government servant who was working under Respondent No.2 i.e., Principal Accountant General (A & E), Indian Audit and Accounts Department, Treasury Building, 2, Govt. Place West, Kolkata. Mr. Parija, Ld. Counsel for the applicant submits that the department has paid the arrears of family pension after the death of the widow to the present applicant. However, they have not yet sanctioned the family pension in her favour in spite of the facts that she has made the representation to the authorities along with all the required papers on 22.12.2004.

3. The applicant had served an Advocate's Notice on the Respondent No.2 which is placed at Annexure-A/10. It is found that in response to the Lawyer's Notice, the Sr. Accountants Officer (Legal Cell) in the Office of Principal accountant General (A&E), Treasury Building, 2, Govt. Place West, Kolkata letter dated 29.11.2012 had asked the applicant's lawyer to furnish certain documents and information. It has been candidly admitted by the applicant that so far those documents have not been submitted before the concerned authorities. However, considering the facts that this matter has been under consideration from 2004 he has approached this Tribunal.

4. Onus is at present lies on the applicant to submit the required documents to the Respondent No.2 in order to satisfy them regarding the claim of family pension. Without completing her responsibility, she has approached the Tribunal for a direction. However, since it is a matter of family pension, after having heard the Ld. Counsel for both the sides, I direct the applicant to submit all the required documents, as asked for by the authorities, within a period of 30 (thirty) days from today, on receipt of which, the Respondent No.2 shall consider this matter within the next three months and communicate his decision to the applicant with a reasoned and speaking order.

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5. With the above observation and direction, this O.A. is disposed of at the stage of admission itself. No costs.

6. A copy of this order along with paper book of O.A. be sent to Respondent No.2 for compliance at the cost of the applicant for which Mr.R.N. Parija, Ld. Counsel for the applicant undertakes to deposit the postal requisites by 02.07.2013.

7. Free copy of this order be made over to the Ld. Counsel appearing for both the sides.


(R.C. MISRA)
MEMBER(A)

K.B.