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**CENTRAL ADMINISTRATIVE TRIBUNAL
CUTTACK BENCH, CUTTACK**

ORIGINAL APPLICATION NO. 475 OF 2013
CUTTACK, THIS THE 27th DAY OF AUGUST, 2013

CORAM
HON'BLE SHRI R.C.MISRA, MEMBER (ADMN.)

.....

Khira Bewa,
Aged about 62 years,
W/o. Late Laldhar,
Vill/P.O.- Tipiguda,
P.S. – Dharamgarh, Dist- Kalahandi.

.....Applicant

Advocate(s) M/s. M. Chand, R.R.Mishra, Ms. J.Sahu.

VERSUS

Union of India represented through

1. The General Manager,
East Coast Railway,
Waltair, At/PO- Waltair,
Andhra Pradesh.
2. Divisional Railway Manager (P),
East Coast Railway,
Waltair, At/PO- Waltair,
Andhra Pradesh
3. Junior Engineer,
IPSI/TRD/JYP Waltair,
At/PO- Waltair,
Andhra Pradesh.
4. Kaikeye Bewa,
Aged about years,
W/o Late Laldhar,
Vill/P.O.- Tipiguda,
P.S. – Dharamgarh, Dist- Kalahandi.

..... Respondents

Advocate(s)..... Mr. T.Rath.

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ORDER (ORAL)

MR. R.C.MISRA, MEMBER (ADMN.):

Heard Mr. M. Chand, Ld. Counsel for the applicant, and Mr.
T.Rath, Ld. Standing Counsel appearing for the Railways, on whom a copy
of this O.A. has already been served.



2. It is submitted by Mr. T. Rath, Ld. Standing Counsel for the Railways, that in this case the General Manager, E.Co.Railways, has not been added as Respondents, who is the appropriate authority to represent the Railways in this matter. Accordingly, on the prayer of Ld. Counsel for the applicant, he is permitted to carry out the necessary amendment and replace Respondent No.1 by General Manager, E.Co.Railways.

3. The applicant, in this case, has approached this Tribunal for granting of family pension as a result of the passing away of her husband, who was serving in the railways as Trolley Man and who expired on 31.12.2001. Ld. Counsel for the applicant has submitted that Respondent No.4 had come with a claim to be the wife of the deceased railway employee because of which the grant of family pension has been delayed. He also has submitted that in the meantime the Learned Civil Judge (Sr. Div.), Dharamgarh in Intest Case No. 21 of 2009 has cleared the applicant as wife of late Laldhar and also entitled for all financial benefits of her husband and this order has purportedly not been challenged in any higher Court of Law. It is again stated that the applicant has submitted a copy of the aforesaid judgment before the Divisional Railway Manger (P), E.Co.Railway, Waltair by making a representation on 17.12.2012 praying for grant of family pension as due and legitimate in her favour. Ld. Counsel for the applicant submitted that the said representation has so far not been disposed of.

4. Taking into account the fact that the representation dated 17.12.2012 is pending for consideration before the appropriate authorities, without going into the merit of this case, I direct Respondent No.2, in this case, to consider and dispose of this representation within a period of 3



months from the date of receipt of a copy of this order. If after due consideration of the matter, it is found by the concerned authorities that the applicant is entitled to grant of family pension, the actual financial benefits must be given to her within a period of 90 days after passing of such order. It is further observed that this matter should be expeditiously disposed of considering the fact that this is a family pension matter which is a long pending case as the applicant's husband has passed away in the year 2001.

5. With the aforesaid observation and direction, the O.A. stands disposed of.

6. Copy of this order, along with paper book, be sent to Respondent No. 2, in this case, for necessary compliance, at the cost of the applicant. Mr. Chand, Ld. Counsel for the applicant, undertakes to file the postal requisites by 29.08.2013. Free copies of this order may be supplied to Ld. Counsel appearing for both the sides.



MEMBER (Admn.)

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