

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JODHPUR BENCH : JODHPUR

Date of order : 20.3.1997

O.A. No. 22/1996

Smt. Kamla Devi ..... Applicant.

v e r s u s

- 1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
- 2. Divisional Railway Manager, Northern Railway, Bikaner Division, Bikaner.
- 3. The Divisional Accounts Officer, Northern Railway, Bikaner.

..... Respondents.

Mr. J.K. Kaushik, Counsel for the applicant.  
Mr. S.S. Vyas, Counsel for the respondents.

CORAM:

- Hon'ble Mr. Gopal Krishna, Vice Chairman.
- Hon'ble Mr. O.P. Sharma, Member Administrative.

PER HON'BLE MR. GOPAL KRISHNA:

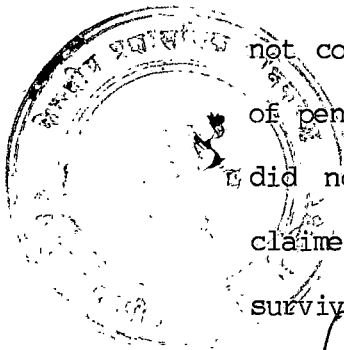


Applicant Smt. Kamla Devi is the widow of late Shri Laxmi Narayan, who had filed an application under Section 19 of the Administrative Tribunals Act, 1985, praying therein that the respondents be directed to reckon the period of 3 years 10 months and 19 days for qualifying service and revise the pensionary benefits accordingly. Since Shri Laxmi Narayan died during the pendency of this O.A. His widow Smt. Kamla Devi has been substituted in his place as legal representative.

- 2. We have heard the learned counsel for the parties.
- 3. The contention of the applicant is that while computing the pensionary benefits payable to the deceased applicant, the respondents erred in not reckoning the period of 3 years 10 months and 19 days as

*Chakraborty*

qualifying service and it is, therefore, urged that the said period be added to the qualifying service rendered by the deceased Laxmi Narayan and pensionary benefits be revised accordingly. It is obvious from the records produced by the respondents that Late. Shri Laxmi Narayan remained absent for a period of 3 years 10 months and 19 days which period was treated as leave without pay and, therefore, this period was rightly not counted as qualifying service. So far as the prayer for commutation of pension is concerned, the same has not been paid because the applicant did not submit an application for commutation of pension. Interest claimed has already been paid. The present OA, therefore, does not survive. The application is dismissed. No order as to costs.



(O.P. SHARMA)  
Member (A)

*GK*  
( GOPAL KRISHNA )  
Vice Chairman

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2. S. S. V. A  
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in my presence on ..... 27/5/03  
under the supervision of  
section officer ( ) as per  
order dated ..... 1/3/03

Section officer (Record)