

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

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Date of Decision: 24.9.97

OA 306/97

Smt. Radha Pyari Purohit w/o late Shri Gopi Kishan Purohit, who worked as Time Keeper in the Northern Railway, Bikaner.

... Applicant

Versus

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Bikaner.
3. Divisional Personnel Officer, Northern Railway, Bikaner.

... Respondents

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

For the Applicant

... Mr. B. P. Mathur

For the Respondents

...

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Smt. Radha Pyari Purohit, has filed this application u/s 19 of the Administrative Tribunals Act, 1985 (for short, the Act), praying for a direction to the respondents for granting to her an ex-gratia payment in terms of OM No.4/1/87 P&PW (PIC), dated 13.6.88, of the Ministry of Personnel, Public Grievances and Pensions (Department of Pension and Pensioners Welfare), on the subject of grant of ex-gratia pension to families of deceased CPF Retirees.

2. Heard the learned counsel for the applicant. The applicant, Smt. Radha Pyari Purohit, is the widow of late Shri Gopi Kishan Purohit, who was working as a Time Keeper at Gajner at the time of his retirement. Shri Gopi Kishan Purohit had entered service in the Railway in the year 1923 and he had retired on superannuation on 30.6.53, as stated by the applicant. The husband of the applicant was a CPF retiree. Applicant made several representations for grant of ex-gratia payment to her but the representations evoked no response. It is urged on behalf of the applicant that the aforesaid OM dated 13.6.88 has already been adopted by the Ministry of Railways vide RBE No.147/88 and a decision has been taken by the Railway to grant an ex-gratia payment of Rs.150/- per month in accordance with the eligibility criteria. Applicant's husband was governed by the State Railway Provident Fund Rules. The applicant has already given notice for demand of justice through her counsel, marked as Ann.A-2 dated 24.4.95. The learned counsel for the applicant wants the notice for demand of justice dated 24.4.95, at Ann.A-2, to be decided by respondent No.2 on merits. The aforesaid notice may be treated as a representation, as envisaged by Section

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20 of the Act.

3. In the circumstances, this OA is disposed of, at the stage of admission, with a direction to respondent No.2 to decide the notice for demand of justice, at Ann.A-2 dated 24.4.95, through a detailed speaking order on merits in terms of OM No.4/1/87 P&PW (PIC) dated 13.6.88 on the subject of grant of ex-gratia payment to families of deceased CPF Retirees within a period of four months from the date of receipt of a copy of this order. If the applicant is aggrieved by any decision taken on the representation, she may file a fresh OA. Let a copy of the OA and the annexures thereto be sent to respondent No.2 alongwith a copy of this order.

GK
(GOPAL KRISHNA)
VICE CHAIRMAN

VK