

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

No.O.A.1329 of 1997

Present : Hon'ble Mr. D. Purkayastha, Judicial Member
Hon'ble Mr. G.S. Maingi, Administrative Member

ANNAPURNA KUNDU

VS.

UNION OF INDIA & ORS.

For the applicant : Mr. Samir Ghosh, counsel

For the respondents : Mr. S.N. Das, counsel

Heard on : 14.7.2000

ORDER

Order on : 14.7.2000

D. Purkayastha, J.M.

Brief facts of this case are that the husband of the applicant, Gobinda Chandra Kundu alongwith others had filed one writ petition before the Hon'ble High Court bearing No. C.R.1649-W/1979 praying for certain reliefs, subsequently that petition has been transferred to this Tribunal and renumbered as T.A.90 of 1986 which was disposed of on 12.7.91 with certain directions in favour of the applicants of the said petition. Thereafter, the husband of the applicant died and during his lifetime he was not granted the benefits of the said judgment despite of his repeated prayers. Now the applicant who is the widow of the deceased Government employee, has approached this Tribunal seeking the benefits of the aforesaid judgment of the Tribunal dated 12.7.91 in T.A.90 of 1986 with all consequential pensionary/retiral benefits of her husband to which she is entitled as per rules. It is stated by the applicant that she has filed representation to the authorities stating her grievances therein, but they did not grant her the benefits in pursuance of the order passed by this Tribunal, therefore, appropriate direction may be given upon the respondents to grant

her the benefits of the aforesaid order of this Tribunal alongwith other consequential reliefs.

2. We have heard the ld. counsel for both sides and have perused the records. Ld. counsel for the respondents, Mr. S.N. Das has produced a letter bearing F.No.16/13/91-GE-FBP dated 1st September, 1999 from which it appears that the competent authority has decided to create 13 supernumerary posts in the grade of Head Security Guard in FBP for accommodating some officials against those posts from the date from which junior to any of the officials(mentioned in the list) was promoted to the grade of Head Security Guard in compliance with the judgment of this Tribunal dated 12.7.91 in T.A.No.90 of 1986. On a perusal of the said letter we find that the name of the husband of the applicant found place in the list of 13 officials at Srl. No.13. Ld. counsel Mr. Samir Ghosh appearing for the applicant, submits that as the employee concerned died, all the benefits of the judgment of this Tribunal should be granted to his widow i.e. the applicant in this O.A. Ld. counsel for the respondents submits that the applicant has given an undertaking in respect of payment of arrears by a letter dated 14.2.2000 and she desired to draw arrear payments w.e.f. 12.7.88. Ld. counsel Mr. Ghosh submits that all the benefits including the arrear payments should be given to the applicant in this O.A. in pursuance of the ^{aforesaid} order of this Tribunal as given to other applicants .

3. In view of the aforesaid circumstances, we direct the respondents to make payment of all dues to the applicant in pursuance of the order of this Tribunal dated 12.7.91 in T.A.90 of 1986 and in accordance with the letter dated 1.9.1999 as produced by the ld. counsel for the respondents. The applicant shall be entitled to arrear payments w.e.f. 12.7.88 as per her undertaking dated 14.2.2000. With

these observations the application is disposed of. No cost.

S. N. Das
MEMBER(A)

H. Ghosh
MEMBER(J)