

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O. A. No. 439 of 1993.

DATE OF DECISION 30-4-1993

M/s P Maniamma & 3 others Applicant (s)

Mr R Krishnan Nair Advocate for the Applicant (s)

Versus

UOI represented by Secretary, Respondent (s)
M/o Defence, New Delhi & 4 others

Mr Joy George, ACGSC Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. **AV HARIDASAN, JUDICIAL MEMBER**

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1. Whether Reporters of local papers may be allowed to see the Judgement? *yes*
2. To be referred to the Reporter or not? *m*
3. Whether their Lordships wish to see the fair copy of the Judgement? *m*
4. To be circulated to all Benches of the Tribunal? *m*


JUDGEMENT

The applicants 4 in number are widows of employees who died in harness getting family pension and also employed under the respondents. Their common grievance is that by reason of the fact that they are employed, the respondents are denying to them the relief on their family pension. Inviting attention to the decisions in OA-1034/92 and OA-153/93^{of} this Bench of the Tribunal ~~and~~ that as the pay of recipients of family pension was not fixed taking into account their family pension, it was unjust and illegal to deny them the relief on their family pension, it appears that the applicants made representations to the

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competent authorities requesting to pay them the relief on the family pension. Finding no response, the applicants have filed this application praying that appropriate directions may be issued to the respondents not to deny the relief on their family pension during the currency of employment and to pay whatever amount has been so far withheld from them.

2. When the application came up for hearing, the learned counsel for the respondents submitted that the respondents are not filing any reply statement and in view of the decision reported in 1992(CAT), AISLJ, 589 and the ruling of this Bench of the Tribunal in OA-1034/92, the applicants being entitled to the relief prayed for by them, the application may be allowed. In view of the above submission by the counsel at the Bar I allow the application, declare that the applicants who are employees and recipients of family pension are entitled to receive relief on their family pension even during the currency of their employment and direct the respondents to pay to them the entire relief on their family pension and also to pay them the arrears of family pension so far withheld, within a period of three months from the date of receipt of a copy of this order. No order as to costs.


(AV HARIDASAN)
JUDICIAL MEMBER
30-4-1993

trs

MP 1304/93
in OA 439/93

ND

Mr Roy George

Mr. R. Krishnan Nair by representatives

The M.P. 1304/93 has been filed

by the original respondents for extension
of time by 4 months for implementation
of the judgment. It is opposed by the
learned counsel for original applicant.

Having heard both sides I grant
two months time for implementation
of the direction in the judgment.



(V. Muralidhar)

DM

18/8/93

20. 12/93
12/93

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