

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.14/2000

Thursday this the 3rd day of August, 2000

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

P.K.Santha, aged about 52 years,
W/o late O.Ramachandran,
Poothakkuzhiyil House,
Malayamma Post,
Via.REC, Calicut,
Pin.673 601.

...Applicant

(By Advocate Mr.K.M.Anthru)

V.

1. Union of India, represented by the
General Manager,
South Eastern Railway,
Garden Beach,
Calutta-700 043.
2. The Deputy Chief Personnel Officer,
(Construction), South Eastern Railway,
Chandrasekharpur, Bhunbaneshwar,
Pin.751 006 (Orissa).
3. The Senior Project Manager (Doub.II)
South Eastern Railway,
Chandrasekharpur,
Bhubaneswar, Orissa.
4. The Deputy Chief Engineer (D.II)
South Eastern Railway,
Bhubaneswar,
Orissa.Respondents

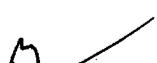
(By Advocate Mr. Thomas Mathew Nellimootil)

The application having been heard on 3.8.2000, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who is the widow of late Shri
Ramachandran, who while working as a Sarang Gr.I under the
respondents died in harness on 27.4.97. The grievance of
the applicant is that though in November, 1997 she had



requested for the settlement of pensionary benefits as also granting of employment assistance on compassionate grounds to her son P.K.Ranjit Kumar and though she made a reminder on 13.4.98 the respondents have not settled the pensionary claims of the applicant and they only paid Rs.4,356/- on 4.5.98, Rs.30,573/- on 6.10.98 and Rs.18,367/- on 9.11.98 without indicating the nature of the payment. The applicant submitted a further representation on 20.2.99 (A3). Still the matter remained unsettled. Therefore, the applicant has filed this application for a direction to the respondents to grant her family pension and other terminal benefits consequent on the demise of her husband Shri O.Ramachandran while in service on 27.4.97 and to grant interest of the arrears of pension and other retiral benefits at the rate of 18% per annum to be compounded annually calculating it from 1.8.97 to the date of settlement and to consider the grant of compassionate appointment to her son P.K.Ranjit Kumar.

2. The respondents in their reply statement contended that the pension papers were not submitted by the applicant, that on receipt of the representation of the applicant for ascertaining the details and for settling the pensionary claims in regard to late Shri O.Ramachandran, the respondents deputed a person to collect the details from the applicant's house and it was only in the month of April, 1998 that the relevant papers have been obtained. The claim for payment of interest on gratuity as per rules is admissible only with effect from 31.7.98 and the family

M

pension and other claims would be settled within three four months. It is also stated in the reply statement that on a proper application in that behalf is received from the applicant, the question of granting compassionate appointment to the applicant's son would be considered.

3. Learned counsel of the applicant states that now that the entitlement of the applicant is not in dispute for receipt of gratuity with interest from 1.8.98 at the rate of 12 percent per annum and to receive the family pension and as the respondents have also agreed to consider the grant of compassionate appointment to the applicant's son, now that necessary application has been made in that behalf by the applicant, the application may be disposed of with a direction for disbursement of the gratuity with interest with effect from 1.8.98 and to make available the pensionary benefits as expeditiously as possible and also to consider the request of the applicant for compassionate appointment to her son Ranjit Kumar. Learned counsel for the respondents stated that the application may be disposed of with a direction as suggested by the learned counsel of the applicant.

4. In the light of the submission of the learned counsel on either side and the statement of the respondents in the reply statement, the application is disposed of directing the respondents to pay to the applicant the gratuity with interest from 1.8.98 at the rate of 12 percent



per annum, to settle the pensionary claims of the applicant and make available to her the pension and arrears thereof as expeditiously as possible at any rate not later than a date after a month from the date of receipt of a copy of this order. It is also directed that the claim for compassionate appointment to the son of the applicant, if made properly, shall also be considered in accordance with law and an appropriate reply given as early possible. There is no order as to costs.

Dated the 3rd day of August, 2000


A.V. HARIDASAN
VICE CHAIRMAN

S.

List of annexure referred to:

Annexure.A3:A true copy of the representation dated 20.2.99 submitted by the applicant to the first res
