

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

OA No. 179 of 2001

Thursday, this the 12th day of July, 2001

CORAM

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

1. G. Thankamany, D/o K. Gowri,  
Gowri Vihar, T.C. 12/225,  
Mulavana Junction, Kunnukuzhi PO,  
Thiruvananthapuram. ....Applicant

[By Advocate Mr. Biju Balakrishnan (rep.)]

Versus

1. Union of India, represented by the  
Secretary, Ministry of Home Affairs,  
New Delhi.

2. The Pay and Accounts Officer (Census),  
Ministry of Home Affairs, AGCW&M Building,  
I.P.Estate, New Delhi-110002

3. The Director of Census Operations, Kerala,  
Ministry of Home Affairs, CGO Complex,  
Poonkulam, Vellayani PO,  
Thiruvananthapuram. ....Respondents

[By Advocate Mr. S. Krishnamoorthy, ACGSC]

The application having been heard on 12-7-2001, the  
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M. SIVADAS, JUDICIAL MEMBER

The applicant seeks to quash A1 and to declare that she  
is entitled to get service benefits of her deceased mother who  
died while in service.

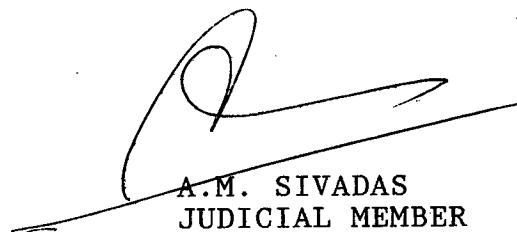
2. A1 is the impugned order. A1 says that the applicant  
is not entitled to family pension. What is the ground on which  
such a decision is arrived is absent in A1. Certain reasons  
are stated in the reply statement. Respondents cannot improve  
the impugned order by stating reasons in the reply statement.

Respondents also rely on R2. There is not even a syllable regarding R2 in A1. A1 is a non-speaking order. That being so, the same is liable to be quashed.

3. Accordingly, A1 is quashed. The 2nd respondent is directed to consider the matter afresh and pass a speaking order within three months from the date of receipt of a copy of this order.

4. The Original Application is disposed of as above. No costs.

Thursday, this the 12th day of July, 2001



A.M. SIVADAS  
JUDICIAL MEMBER

ak.

List of Annexure referred to in this order:

1. A1 Copy of Order No. PAO/CENSUS/MHA/PENSION/2000/4803 dated 28-3-2000 passed by the 2nd respondent.
2. R2 True copy of the letter No. 45/51/97-P&PW(E) dated 18-2-2000 issued by the Under Secretary, Department of Pension & Pensioners' Welfare.