

CENTRAL ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH

O.A. No. 21 of 1997.

Monday this the 6th October, 1997.

CORAM:

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

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

S. Baby, W/o Late Gnanasekharan,
(Ex. Box Boy, Southern Railway,
Palghat Division) residing at:

S. Vellalapatti,
Sannapiratti, Karur Taluk,
Tiruchirappalli District,
Tamil Nadu.

.. Applicant

(By Advocate Shri T.C. Govindaswamy)

Vs.

1. Union of India through the
General Manager,
Southern Railway,
Headquarters Office,
Park Town P.O.,
Madras - 3.

2. The Divisional Personnel Officer,
Southern Railway,
Palghat Division, Palghat.

.. Respondents

(By Advocate Shri Mathews J. Nedumpara)

The application having been heard on 6th October, 1997,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. P.V. VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

Applicant prays for family pension which is due to
her to be paid to her on the demise of her husband. Respondents
state that the applicant was not in service on the date he
died and that he had been removed from service with effect
from the date of the penalty advice ^{was} served on him. A copy of
the penalty advice dated 24.5.90 has been made available for
perusal. Learned counsel for applicant submits that a copy

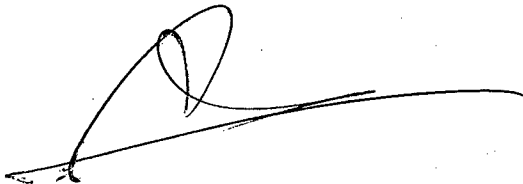
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of this order may be made available to him and that he would file an appeal against that order. Therefore, there is no need to pursue this application for the grant of family pension at this point of time.

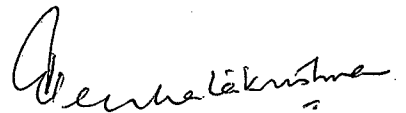
2. We, accordingly, direct the second respondent to send the applicant a copy of the penalty advice dated 24.5.90 within fifteen days by Registered Post, Acknowledgement Due and if an appeal is filed within forty five days of the receipt of the penalty advice it shall be treated as being within time by the appellate authority despite the fact that more than forty five days have elapsed after 24.5.90.

3. Application is disposed of as aforesaid. No costs.

Dated the 6th October, 1997.



A.M. SIVADAS
JUDICIAL MEMBER



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER