

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.234/04

Friday this the 26th day of March 2004

C O R A M :

HON'BLE MR. A.V.HARIDASAN, VICE CHAIRMAN
HON'BLE MR. H.P.DAS, ADMINISTRATIVE MEMBER

Nabeeesa,
W/o.Kattuvavan,
Kunnath House, Kanayam,
Shoranur Municipality,
Ottapalam Taluk, Palakkad District.

Applicant

(By Advocate Mr.M.R.Hariraj)

Versus

1. Union of India represented by the Secretary to Govt. of India, Ministry of Railways, New Delhi.
2. The General Manager, Southern Railway, Madras.
3. The Divisional Railway Manager, Department of Personnel, Palakkad Division, Palakkad.

(By Advocate Mr.P.Haridas)

This application having been heard on 26th March 2004 the Tribunal on the same day delivered the following :

O R D E R

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

The applicant claims to be widow of Kattuvavan, a pensioner under the respondents, who died on 7.3.2000. Kattuvavan retired from service on 1995 at that time he was allegedly a widower. It is alleged that Kattuvavan married the applicant on 10.3.1997. He was receiving pension during his life time. However, when Kattuvavan died the applicant claimed family pension. But the claim was not responded to. The representation submitted by the applicant on 12.4.2003 (Annexure A-3) and a lawyer notice caused to be issued thereafter on 18.7.2003 remained not responded to. Under these circumstances the

applicant has filed this application for a declaration that she is entitled for grant of family pension with effect from 7.3.2000 and for a direction to the respondents to give her the arrears with interest @ 18% per annum.

2. When the application came up for hearing Shri.P.Haridas standing counsel for the Railway Administration took notice on behalf of the respondents. Learned counsel on either side agreed that the application may be disposed of directing the 3rd respondent to consider the Annexure A-3 representation giving the applicant an opportunity of personal hearing and thereafter to give the applicant a speaking order on her representation.

3. In the light of the above submissions made by the counsel on either side we dispose of this application directing the 3rd respondent to consider the claim of the applicant made in Annexure A-3 for family pension after giving her an opportunity of personal hearing and also for producing materials to prove her claim and to dispose of the claim with a speaking order within a period of three months from the date of receipt of a copy of this order. No costs.

(Dated the 26th day of March 2004)

12-8-2004
H.P.DAS
ADMINISTRATIVE MEMBER


A.V.HARIDASAN
VICE CHAIRMAN

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