

THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH

Original Application No.53/2006
This the 27th day of January 2006

HON'BLE SHRI K.B.S. RAJAN, MEMBER (J)

Smt. Surajmukhi, aged about 62 years, widow of late
Sri Raj Pal Singh, R/o L-II/205/Sector '4', LDA
Colony, Krishna Nagar, Kanpur Road, Lucknow.

...Applicant.

By Advocate: Shri Alok Trivedi.

Versus.

1. Union of India through the General Manager,
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway,
Moradabad Division, Moradabad.
3. The Sr. Divisional Accounts Officer, Northern
Railway, Moradabad Division, Moradabad.
4. The Branch Manager, State Bank of India, Almabagh
Branch, Kanpur Road, Lucknow.

...Respondents.

By Advocate: Shri Praveen Kumar for Shri M.K. Singh.

ORDER (Oral)

BY SHRI K.B.S. RAJAN, MEMBER (J)

1. The applicant is aggrieved by the sudden reduction of
the monthly family pension amount from Rs. 4,564/-
to Rs. 489/- from the month of December, 2005. The
representation has been made to the Branch Manager,

State Bank of India, Branch, Alambagh, LDA Colony, Kanpur Road, Lucknow for making full payment.

2. The counsel for respondents submits that the petitioner has made a representation only to the Branch Manager, State Bank of India and copy of the same sent to the Divisional Railway Manager, Northern Railway, Moradabad on account of which the Divisional Railway Manager could not react to the same. The counsel for respondents also submits that in order to enable the respondents to consider the case a direction may be passed to treat the entire O.A. as representation and decide the same within a time calendar by the Tribunal. The counsel for applicant submits that till than no recovery shall be made from the family pension of the applicant.
3. Considering the facts that the applicant was not put to notice for the alleged excess payment the family pension ~~is~~ ^{being} reduced without such notice is not appropriate and has to be termed as arbitrary. However, not such details are available in the O.A., the respondents are directed to treat the entire O.A. as representation and decide the same within a period of 2 months form the date of communication of this order. Meantime, the applicant shall be paid the pension @ Rs. 4564/- without any deduction there from. Needless to mention here that in case the applicant is not satisfied with the decision as and when communicated by the respondents, in that even

liberty is given to the applicant to revive this
O.A.

4. With the above directions the O.A. is disposed off with no order as to costs.



(K.B.S. RAJAN)
MEMBER (J)

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