

Central Administrative Tribunal, Lucknow Bench, Lucknow

ORIGINAL APPLICATION No.344/2009

This the 28th day of August, 2009

Hon'ble Ms. Sadhna Srivastava, Member (J)

Mahadei, aged about 75 years, w/o Late Shri Thakur Prasad, resident of -Village-Dihua, Post-Dadenra, Pargana-Machchreta, Tehsil-Misrikh, District-Sitapur.

.....Applicant

By Advocate: Sri Praveen Kumar.

Versus

Union of India through

1. The General Manager, Northern Railway, Borada House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Moradabad.

.....Respondents

By Advocate: Shri B.B. Tripathi holding brief for Shri N.K. Agrawal.

ORDER (Oral)

By Ms. Sadhna Srivastava, Member-J

The grievance raised by the applicant is regarding fixation of pension.

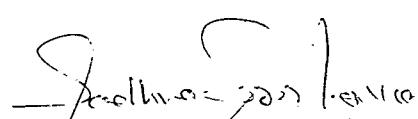
2. The facts in brief are that the applicant's son namely Mahadev, while working as Gateman under PWI, Hardoi died on 29.6.2004. The applicant was the dependent of her son. After the death of Mahadev, the applicant filed representation for payment of terminal dues as well as family pension. Earlier, the applicant had filed an O.A.No.175/2008, for payment of family pension, which was disposed of with a direction to consider and



decide the representation of the applicant. Pursuant to the aforesaid direction the respondents have issued an order dt.22.9.2008, granting the family pension to the applicant. Since then she is being paid family pension. Now, her claim is that there is an anomaly in fixation of pension, hence this OA. In para-11 of the OA, she has given details. According to the applicant she is entitled to the tune of Rs.224352/- as arrears of family pension but she has been paid less than the admissible as indicated in para-11 of the OA.

3. Be that as it may, on the background of the case detailed above, I am of the considered opinion that the OA can be disposed of at admission stage itself by giving direction to the Respondent No.2 to treat this OA as representation and decide the same by reasoned and speaking order. Since, it is only after scrutiny of the records that one can reach to the right conclusion with regard to the factual aspect of the matter. The Respondent No.2 is, therefore, directed to give personal hearing to the applicant at the time of passing the order. Accordingly the Respondent No.2 is hereby directed to pass a reasoned and speaking order after giving personal hearing to her within a period of three month from the date of receipt of the certified copy of this order.

4. The matter is thus, stands disposed of without any order as to costs.


(Ms. Sadhna Srivastava)
Member-J