

**Central Administrative Tribunal Lucknow Bench Lucknow.**

O.A. No. 552/2006

This, the 14th day of February, 2008.

Hon'ble Shri M. Kanthaiah, Member (J)

Smt. Baijanty aged about 46 years widow of late Sri Gauri Shanker R/o House No. 551 Ka./218, Shakti Nagar, Alambagh Lucknow.

Applicant.

By Advocate: Shri K. Bajpai

Versus

1. The Union of India through the Secretary, Department of Post and Telegraph, Sanchar Bhawan, New Delhi.
2. The Chief Post Master General, Lucknow Division, Lucknow.
3. Senior Supdt. Of Post Offices, New Hyderabad, Lucknow.
4. The Director of Accounts (Postal), U.P. Circle, Lucknow.

Respondents.

By Advocate: Shri D.S. Tiwari

**ORDER (ORAL)**

By Hon'ble Shri M. Kanthaiah, Member (J)

The applicant has filed Original Application to issue direction to the respondents to release the regular monthly family pension along with arrears w.e.f. April, 2003 with interest thereupon, on the ground that the respondents have stopped payment of such pension on the complaint made by some body that the applicant is not the wife of the deceased.

2. The respondents, who have filed detailed Counter Reply, opposed the claim of the applicant stating that after stopping the payment of family pension to the applicant,




they started investigation but the same is still pending and as such they opposed the claim of the applicant.

3. Heard both sides.

4. The point for consideration whether the applicant is entitled for the relief as claimed for.

5. Admittedly, after the death of the deceased employee, the respondent authorities have sanctioned family pension to the applicant, Smt. Baijanty, stating that she is the widow of the deceased and her name was also recorded in the service register. Annexure -4 dated 23.4.2001 is the copy of authorization of such pension to the applicant. Thereafter, the respondent authorities have been paying the family pension to the applicant but on receipt of a complaint from 3<sup>rd</sup> party, they stopped the payment of family pension to the applicant since April, 2003 suspecting that she is not the wife of the deceased. It is the contention of the respondent authorities that they have started investigation to know whether the applicant is the real wife of the deceased or not and also to know the allegation made in the complaint by the third party but the same is still pending.

6. In spite of taking more than 5 year, they have not decided the claim of the applicant and also not completed the so called investigation. In view of the above circumstances, it is a fit case for disposal, hence disposed



with a direction to the respondents No. 2 and 3 to complete the investigation in respect of the complaint made against sanction of family pension to the applicant within 4 months from the date of supply of copy of this order and pass reasoned order and they are also at liberty to take assistance of the applicant in furnishing necessary documents from ~~her~~ side and with these directions, O.A. is disposed of. No order as to costs.

Member (J)

14.02.2008

HLS/-