

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH

O.A.NO.: 207 OF 2006
[Patna, this Friday, the 31st Day of March, 2006]

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C O R A M

HON'BLE SHRI JUSTICE P.K.SINHA, VICE-CHAIRMAN.
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Smt. Lal Pari Devi, wife of Late Ganesh, resident of village- Aunta, P.S.:
Hathidah, District - Patna.APPLICANT.
By Advocate :- Shri Alok Bhushan.

Vs.

1. Union of India through General Manager, E.C.Railway, Hajipur.
2. Divisional Railway Manager, Sonpur.
3. Senior Divisional Accounts Officer, Samastipur.
4. Senior Divisional Finance Manager, East-Central Railway, Samastipur.
5. Chief Postmaster General, Patna.
6. Account Director [Posts], Jaidka House, Exhibition Road, Patna-1.
7. Superintendent of Posts, Nalanda at Biharshariff.
8. Postmaster, Mokama Ghat Post Office, Patna.RESPONDENTS.
By Advocate :- Shri A. A. Khan, SC.

O R D E R [ORAL]

Justice P. K. Sinha, V.C.:- At the outset the learned counsel for the applicant submits that he may be allowed to correct a clerical mistake while describing respondent no.2 who has been typed to be Divisional Manager [Rail], Sonpur which should be Divisional Railway Manager, Sonpur. Allowed.

2. Heard both the sides on admission. The applicant claims that her husband, Late Ganesh while working as Marine Engineer in E.C.Railway superannuated w.e.f. 30.06.1978. While receiving pension he died on



27.07.1999. The applicant thereafter ought to have got the family pension. Her husband was getting his pension through Mokama Ghat Post Office within the jurisdiction of Superintendent of Post Offices, Biharsharif at Nalanda. The applicant moved the Postmaster, Mokama Ghat Post Office and ultimately the Postmaster, Biharsharif by letter dated 12.02.2000 directed the Assistant Superintendent of Posts, Barh Sub-Division, Patna to submit report about the name of the applicant as in the service record name was noted as Lal Pari Devi but the claimant was Ram Pari Devi and the photographs also did not tally. The applicant was directed to give affidavit which she did stating that both the names are of the same person and that there was no other person in the village with such name and address.

3. The further claim is that the Divisional Railway Manager [P], Sonpur in Pension Adalat dated 06.11.2002 categorically stated that the PPO concerned had been released in favour of the applicant, Lal Pari Devi on 29.03.2000 itself and directed the concerned authority to make arrangements for payment of the family pension which order was communicated to the Divisional Accounts Officer, Samastipur. Thereafter the Divisional Railway Manager [P] vide his letter dated 13.11.2003 again communicated the order of the Pension Adalat to Sr. Divisional Accounts Officer, Samastipur clarifying that on examination of the pension papers it appeared that the nominee as named [as wife] was Lal Pari Devi, also stating that, however, Mokama Ghat Post Office had communicated that one Ram Pari Devi was wife of Late Ganesh. The Divisional Railway Manager [P] also stated that the difference in the name was the creation of the Post Office and so far Railway was concerned, PPO had already been issued in favour of Lal Pari Devi.



4. Thereafter vide letter dated 10.03.2004 the Sr. Divisional Finance Manager, E.C.Railway, Sonpur wrote the Director Account [Post] that the claimant Lal Pari Devi was not receiving family pension as the Postmaster of Mokama Ghat Post Office had not been releasing the same on the ground of difference in the name. It was categorically stated that the matter was verified by the DRM[P] and it was found that the name of wife of the deceased employee was Lal Pari Devi and a joint photograph was also signed by them. However, despite the direction to make correction the Postmaster, Biharsharif had not released the family pension.


5. In that view of the matter, this application is disposed of by directing the Divisional Railway Manager, Sonpur to communicate to the Superintendent of Post Offices, Nalanda at Biharsharif if they had reached at a decision that this applicant is wife of Late Ganesh and her name was Lal Pari Devi as claimed in this application, to release the family pension in favour of the applicant with arrears. As and when such an order is received by the Superintendent of Post Offices, Nalanda at Biharsharif, he would release the arrears of pension and monthly pension in favour of the applicant. This order, however, is subject to the submissions by the applicant that the Railway authorities have already held that this very applicant was the legally wedded wife of Late Ganesh. If the respondents no. 1 to 4 particularly respondent no.2, the DRM, Sonpur disputes this assertion of the applicant, then he would record a speaking order to the contrary, within two months of receipt of a copy of this order. The applicant will supply a copy of the order along with a copy of the application with annexures to respondent no.2 as well to respondent no.7, within a fortnight of receipt of the certified copy of the order.



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6.

This OA stands disposed of. No costs.



[P.K.Sinha]/VC

skj.