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**BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**NEW BOMBAY BENCH, NEW BOMBAY.**

**Original Application No.365/88.**

Smt.Vijaymala,  
C/o.Dr.N.M.Tank,  
3, Mental Hospital Quarters  
Kareli Baug,  
Baroda - 390 019.

... Applicant.

V/s.

1. General Manager,  
Central Railway,  
Bombay V.T.
2. Divisional Railway Manager,  
Division Jhasi,  
Central Railway,  
At: Jhasi.
3. Treasury Officer,  
Rajkot,  
Gujarat State.

...Respondents.

**Coram: Hon'ble Member(A), Shri P.S.Chaudhuri,**

**Oral Judgment:-**

**Per Shri P.S.Chaudhuri, Member(A)**

**Dated: 7.2.1989.**

I heard Shri C.S.Badkas learned advocate for the applicant.  
I also heard Mr.Iqbal Khan, Personnel Inspector from Jhansi Division of  
Central Railway for the Respondents.

2. The Respondents advocate Mr.P.R.Pai has sent an application  
enclosing a copy of order dated 31.1.1989 in terms of which the applicant  
is to be paid family pension at the rate of Rs.100/- plus Dearness Allowance  
from 22.9.1977 till 31.12.1985 and at the rate of Rs.375/- per month plus  
relief from 11.1.1986 onwards.

3. In view of this the application no longer survives.  
Shri C.S.Badkas prays for awarding of costs because of the delay in the  
payment of the pension. He himself admitted that there was initially  
some dispute regarding whether pension was payable in such cases, but  
this was eventually resolved by the Supreme Cour's Order in 1985. It

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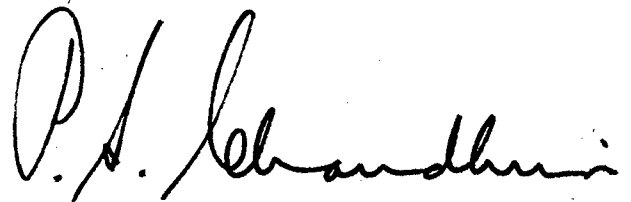
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was only thereafter in 1987 that the applicant started pursuing her case.

In view of this I see no case for award of costs.

4. In the result, the application is treated as disposed of as no longer surviving. There will be no order as to costs.



(P.S. CHAUDHURI)  
MEMBER(A).