

**CENTRAL ADMINISTRATIVE TRIBUNAL**

**PATNA BENCH, PATNA**

**OA No.409/05**

**Date of order : 7<sup>th</sup> July, 2005.**

**C O R A M**

**Hon'ble Ms. Sadhna Srivastava, Member(Judicial)**

**Smt. Sakali Devi .... Applicant**

**Vrs.**

**Union of India & Ors. .... Respondents.**

**Counsel for the applicant : Shri R.N.Saran.**

**Counsel for the respondents : Shri A.A.Khan, SC**

**O R D E R**

**By Sadhna Srivastava, Member(J) :-**

By way of this original application, the applicant has challenged that her pension has been with-held by the respondents illegally.

2. The applicant has submitted that her husband died on 12<sup>th</sup> October, 1987 while he was working as C.P.C./Sub Gangman at P.W.I., Patna.

Thereafter she was granted Rs.375/- + admisslbe relief ~~as per order~~ as family pension in as much as she had also received death cum retiral gratuity. On 19<sup>th</sup> September, 1996 (Annexue-A/1(3)), she received a notice issued by the respondents, wherein she was asked to submit a representation

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as to why her pension should not be stopped as her husband was not a regular employee of the Railway, rather he was C.P.C./Sub. Gangman who died on 12<sup>th</sup> September, 1987. After receipt of the notice dated 19.9.1996, the applicant filed a representation on the same day, i.e. 19.9.1996, which is on record [Annexe-A/1(2)], but the respondents have not taken any decision so far. Before coming to this court, ~~the~~ <sup>representation was</sup> again filed ~~the~~ <sup>representation was</sup> which is on record (Annexe-A/1), to the concerned authorities but the respondents have not taken any decision. It is submitted on behalf of the applicant that she is at starvation stage.

3. Under these facts and circumstances, the 1d. counsel for the applicant has submitted that by treating this O.A. as representation some time bound direction be given to the respondents to expedite the matter and decide the representation at the earliest possible to save the family from financial hardship.

4. I have heard the 1d. counsel for the applicant as well Shri Khan for the official respondents. After considering the submissions made by the 1d. counsel for the applicant that the representation is still pending with the respondents, I am of the considered opinion that the present O.A. can be disposed of at the admission stage itself by giving directions to the

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respondents to decide the claim of the applicant within stipulated time.

5. Having said so, the Respondent No.2 is hereby directed to examine the case of the applicant in the light of the documents being submitted by the applicant with her representation and thereafter pass speaking and reasoned orders in accordance with law within a period of three months from the date of receipt of a copy of this order alongwith O.A. Needless to say that I have not expressed any opinion on the merit of this case.

6. The O.A. stands disposed of accordingly. No cost.

  
(Sadhna Srivastava)  
Member(Judicial)

mps.